Friday,
10th August, 1956

LOK SABHA DEBATES

VOLUME V, 1956

(16th July to 10th August 1956

THIRTEENTH SESSION, 1956

LOK SABHA SECRETARIAT
NEW DELHI

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LOK SABHA

Friday, 10th August, 1956

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

Employees' State Insurance Act

*944. **Shri T. B. Vittal Rao** : Will the Minister of **Labour** be pleased to state :

(a) whether the scheme to extend the benefits of the Employees' State Insurance Act, 1948 to the families of insured workers has since been finalised; and

(b) if so, when it will be brought into force?

The Deputy Minister of Labour (Shri Abid Ali) : (a) No.

(b) Does not arise.

Shri T. B. Vittal Rao : May I know when this question of extension will be finalised in view of the fact that this question was discussed at the last Labour Ministers' Conference which was held in Hyderabad in 1955?

Shri Abid Ali : It will take some time more.

Shri T. B. Vittal Rao : May I know if "some time more" means that it will take another five years?

Shri Abid Ali : Five years? It may take some months.

Shri T. S. A. Chettiar : May I know whether any increase of contribution is contemplated?

Shri Abid Ali : Not from the employees.

Shri B. S. Murthy : May I know the reasons for this inordinate delay? Is it financial or otherwise?

Mr. Speaker : He has said it will take a few more months.

Shri B. S. Murthy : I want to know the reasons for the delay. Is it financial tor otherwise?

Mr. Speaker : I was cutting short the question. The answer may be given as to what are the reasons for this delay.

Shri Abid Ali : Because we want a substantial amount to meet the expenses. Therefore, we are considering from which source this should come. From the employees this should not be collected—that is decided. There are other sources which are being tapped.

Seed and Manure Godowns in Punjab

*945. **Sardar Akarpuri** : Will the Minister of **Food and Agriculture** be pleased to state :

(a) whether Government have given any loan to Punjab during the current year for the construction of seed and manure godowns;

(b) if so, the amount thereof; and

(c) the terms on which the loan has been given?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) to (c). Government of Punjab have not asked for any loan for the construction of seed stores. No loan for the construction of manure godowns has been given.

Shri B. D. Pande : May I enquire if other States have asked for these loans for the construction of seed and manure godowns?

Dr. P. S. Deshmukh : There is no provision for giving any loans, under the Grow More Food Rules, for manure godowns. Regarding seed stores, we are going to construct them on a very large scale throughout India and we are ourselves prepared to give the necessary loans. There will be 3,700 odd seed stores all over the country.

श्री हेम राज : क्या मैं जान सकता हूं कि ऐसे पहाड़ी इलाकों में जहां पर कि बीज बहुत देर से मिलता है वहां पर भी इस किस्म के गोदाम बनाये जायेंगे ?

डा० पं० स० देशमुख : गोदामों की एक, दो स्कीमें हमारे पास हैं। कुछ गोदाम तो कोआपरेटिव सोसाइटीज (सहकारी

समितियां) बना सकती हैं और उनको हम और स्टेट्स गवर्नमेंटस (राज्य सरकारें) सबसिडी (आर्थिक सहायता) और लोन (ऋण) देती हैं और दूसरे जो सीड (बीज) स्टोर्ज हैं उनको हम प्रोत्साहन देते हैं और पैसा भी देते हैं ।

श्री म० ला० द्विवेदी : क्या मैं जान सकता हूं कि मंत्री महोदय ने जो अभी बतलाया कि वहां की सरकार ने लोन नहीं मांगा है तो क्या पंजाब में सीड स्टोर्स पहले से इतने ज्यादा मौजूद हैं कि वहां और स्टोर्स बनाने की जरूरत नहीं है या वहां की सरकार इतनी सम्पन्न है कि केन्द्रीय सरकार के कर्ज की उनको आवश्यकता नहीं है ?

खाद्य और कृषि मंत्री (श्री अ० प्र० जैन) : जो स्कीम बनती है उसमें कुछ समय भी लगता है और राज्य सरकारें चूंकि उस काम को कर रही हैं इसलिये बनिस्बत हमारे या और किसी आनेरेबुल मेम्बर के ज्यादा अच्छा अंदाजा वह कर सकते हैं । मुझे पूरा यकीन है कि जो वहां की जरूरतें होंगी उनका पूरा पूरा ध्यान रखा जायेगा ।

Shri Achuthan : May I know whether a beginning has been made with regard to the construction of manure and seed godowns in States where these have not been constructed?

Dr. P. S. Deshmukh : Some States have started constructing some of these seed godowns. There are no manure godowns.

Shri D. C. Sharma : May I know how much money has been set apart (a) for seed godowns and (b) for manure godowns, and whether any allocation has been made with reference to the different States of India?

Dr. P. S. Deshmukh : Yes, Sir, so far as seed godowns are concerned, definite allocations of the number of seed stores that will be constructed in each State of India have been made, and a provision of about Rs. 13 crores has been made in the Second Five Year Plan for this purpose. There are no manure godowns either contemplated by us or any proposal from the State Governments for their construction.

पर्यटन

*९४६. **श्री भक्त दर्शन** : क्या **परिवहन** मंत्री २ मई, १९५६ के अतारांकित प्रश्न संख्या १६५० के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या पर्यटन के विकास के लिये पंचवर्षीय योजना को अंतिम रूप दे दिया गया है ;

(ख) यदि हां, तो उसकी स्थूल रूपरेखा क्या है ;

(ग) यदि नहीं, तो उसको अन्तिम रूप देने में कितना समय लग जायेगा; और

(घ) अब तक निर्णय करने में देरी होने का क्या कारण है ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) जी, हां ।

(ख) इस योजना के बारे में प्रतियां संसद के पुस्तकालय से प्राप्त हो सकती हैं

(ग) तथा (घ). सवाल ही पैदा नहीं होता ।

श्री भक्त दर्शन : क्या यह सत्य है कि परिवहन मंत्रालय ने प्लानिंग कमीशन (योजना आयोग) से इस काम के लिये ८ करोड़ रुपयों की मांग की थी जब कि उन्हें इस काम के लिए केवल २ करोड़ रुपये ही दिये गये हैं ? क्या मंत्री जी उससे संतुष्ट हैं और क्या वह समझते हैं कि उससे उनकी सब योजनायें पूरी हो सकेंगी ?

श्री अलगेशन : यह बात तो ठीक है कि हम उससे संतुष्ट नहीं हैं लेकिन उससे ज्यादा पैसा मिलने की कोई आशा भी तो नहीं है ।

Shri C. D. Pande : In view of the fact that considerable encouragement is being given to tourism in Kashmir and Government is going to spend Rs. 80 lakhs every year in building huts and rest-houses, does Government realise that this unbalanced patronage of one station will hit hard other stations like Simla, Mussoorie and Naini Tal ?

Shri Alagesan : I should not like to imagine that there is any sort of rivalry between one place of tourist importance and another. (*Shri C. D. Pande* : There is.) It is well known that Kashmir is a place which is known throughout the world, and naturally more tourists go there. Having in view the large number of tourists that go to Kashmir, we have to make the arrangements to which the hon. Member has just now referred. But that does not mean that we propose to neglect other stations of importance. We also propose to do something there too.

Shri Hem Raj : In view of the fact that these places of interest have got very few hotels or rest places for food and lodging, has Government any schemes for development of this hotel industry ?

Shri Alagesan : Yes, Sir. As far as the hotels go, the matter is in the hands of the private people. They are welcome to start these hotels in places where they can expect reasonable custom. We for our part propose to put up good rest-houses with canteens also attached to them.

Shri T. S. A. Chettiar : May I know whether Government have in view, in the development of tourist traffic, the regional ideas also——development of the tourist traffic to places like Ootacamund, Courtalam and Kodaikanal ; and will the hon. Minister place on the Table of the House information as to how much money is spent on these various stations for the development of tourism ?

Shri Alagesan : The whole plan is given. My reply was in Hindi and evidently the hon. Member did not follow it. The reply says that this information is available in the Library; it is part of the plan.

Shri Kasliwal : This question of development of tourism includes tourists both foreign and Indian, and up-till now we have heard that all sorts of facilities are being given to foreign tourists. May I know what particular facilities Government propose to give to Indian tourists ?

Shri Alagesan : I think I have answered this question a number of times on the floor of the House. There is no question of not giving encouragement to Indian tourists and doing something only for foreign tourists. Unless we have a proper base of internal tourism, foreign tourism cannot develop. Therefore, we are very much conscious of that.

Whatever arrangements are made, they are made available both for the foreign tourists and the internal tourists. There is no bar on Indian tourists using the facilities that are provided as a whole.

श्रीमति कमलेन्दुमति शाह : माननीय मंत्री ने कहा कि कई जगहों पर टूरिस्ट्स (पर्यटकों) के लिये टूरिज्म के स्थान बनायेंगे। चूंकि टेहरी गढ़वाल में भी बहुत से अच्छे स्थान हैं इसलिये क्या टूरिज्म के स्थानों में टेहरी गढ़वाल का भी नाम है अर्थात् क्या टेहरी गढ़वाल में भी टूरिज्म के स्थान बनेंगे ?

Shri Gidwani : May I know whether the Government have under contemplation the opening of tourist centres in Junagadh and Girnar to enable visitors to see the Gir forests and the Indian lions therein ?

Shri Alagesan : Girnar is a very important place because that is the only place in India where there are lions. I just cannot place my fingers on the particular item now. It should have formed part of the tourist davelopment plan of the Saurashtra Government.

Sugar Factories

*947. **Shri Bibhuti Mishra** : Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether it is a fact that sugar factories in various States have not paid cane price to the growers for 1955-56 season;

(b) if so, the names of such factories; and

(c) the steps taken by Government to expedite total payment ?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) and (b). Out of total price of Rs. 66·1 crores for cane purchased by factories upto 15th June 1956, only about 3·8 crores, *i.e.*, 5·7% of the total price, were reported to be outstanding on 30th June. A substantial portion of the outstanding dues should have been cleared by now.

(c) State Governments are taking necessary steps to liquidate the arrears.

श्री बिभूति मिश्र : मैं जानना चाहता हूं कि सेस (उपकर) तो राज्य सरकार ले लेती है, केन्द्रीय सरकार ड्यूटी (शुल्क) ले लेती है, शुगर मिल वाले रख लेते हैं, लेकिन जो पांच परसेन्ट रुपया बाकी रहता है वह किसानों का होता है। उसके लिये सरकार क्या इन्तजाम करती है कि वह जल्दी से किसानों को मिल जाय ?

खाद्य और कृषि मंत्री (श्री अ० प्र० जैन) : इस के लिये कानून बने हुए हैं कि एक मुकर्ररा मियाद के अन्दर यह रुपया अदा होना चाहिये । कई एक केसेज जिन में देरी हुई, अटैचमेंट (डकी) का सर्टिफिकेट इश्यू (जारी) हुआ है। वैसे भी सरकार हर प्रकार से इस बात की कोशिश कर रही है कि जल्दी से जल्दी वह पैसा दिया जाय। देरी जो कुछ हो रही है, उसके लिये विशेष कारण यह हैं । कुछ अर्सा तो इस लिये लगा कि कीमत रिकवरी पर देनी है और रिकवरी अब निकाली जा रही है, कई जगहों पर ऐसा भी हुआ कि फसल के बोने के कारण किसान लेने नहीं आये। बाकी माननीय मेम्बर का जो कहना है कि रुपया जल्दी वसूल होना चाहिये वह बिल्कुल ठीक है और उसकी कोशिश की जायेगी ।

श्री विभूति मिश्र : जिन किसानों ने केन मार्केटिंग यूनियन (विक्रय संघ) के द्वारा गन्ना दिया है, या डाइरेक्ट (सीधे) मिल को दिया है, और जिन का १०० या ५० रुपया बाकी है, उन का बहुत सा रुपया कई बार आने जाने में खर्च हो जाता है। क्या सरकार इस के लिये कोई इन्तजाम करेगी कि उन का पैसा पहले मिल जाय ?

श्री अ० प्र० जैन : यह हिसाब तो मुझे नहीं मालूम कि किसान कितनी दूर रहते हैं और किसी खास जगह से आने में उन को कितना किराया देना पड़ता है ।

श्री झुनझुनवाला : मंत्री महोदय ने तीन कारण बताये । एक तो यह है कि अभी रिकवरी के अनुसार तय नहीं हुआ है कि किस को रिकवरी के अनुसार कितना दिया जाय.....

श्री अ० प्र० जैन : यह निकाला जा रहा है कि कितनी रिकवरी हुई और उस पर कितना दिया जाय ।

श्री झुनझुनवाला : यही मैं कह रहा था कि यह निकाला जा रहा है कि कितनी रिकवरी हुई और उस के ऊपर कितनी कीमत दी जाय, दूसरे यह कि रबी की फसल के बारे में उन्होंने कुछ कहा । मैं जानना चाहता हूं कि क्या आपने फैक्ट्री में देखा कि इन दो तीन कारणों को छोड़ कर और किन कारणों से रुपया नहीं दिया गया है ? फैक्टरी ने जान बूझ कर रुपया नहीं दिया या कि चूंकि उन के पास रुपया नहीं है इस लिये नहीं दिया, और पहले साल में कितना रुपया इस प्रकार बाकी पड़ गया है ?

श्री अ० प्र० जैन : कई फैक्ट्रीज हैं जो ईमानदारी से और ठीक ढंग से काम नहीं करती हैं, मैं सब फैक्ट्रीज के लिये नहीं कह रहा हूं, और वे रुपया अधिकतर अपने इस्तेमाल में लाती हैं । वह इधर उधर रुपया खर्च करती हैं और किसान को दाम मिलने में देरी होती है। इसके लिये कितनी बार लाजिमी तौर से फैक्ट्रियां ही जिम्मेदार हैं ।

Shri Bishwa Nath Roy : In view of the fact that even where there is no question of any recovery, large amounts of sugarcane price are falling due and they are not paid in time, may I know whether Government have got any proposal under consideration for the payment of interest on those amounts which can be paid easily?

श्री अ० प्र० जैन : प्रश्न का जो पहला अंश है उस का जवाब तो जब मैं पहले उत्तर दे रहा था उसी समय दे दिया था । कुछ फैक्ट्रियां ऐसी हैं जो देरी करती हैं, इसकी जिम्मेदारी उन फैक्ट्रियों पर ही है । अब रहा यह कि जो कुछ उस के कायदे वगैरह हैं, वे सब राज्य सरकारों ने बनाये हैं कि कितने दिनों में पैसा दिया जाय और किस तरह से उस को एन्फोर्स (लागू) किया जाय । मैं इतना जरूर बताना चाहता हूं कि उत्तर प्रदेश की सरकार ने इस तरह का पैसा वसूल करने के लिये १४ फैक्ट्रियों के खिलाफ सर्टिफिकेट जारी किये हैं, जिन के नाम हैं: मंसूरपुर, इकबालपुर, बिजनौर, धर्मपुर, रोसा, अपराइच, बैतालपुर, देवरिया वगैरह वगैरह ।

Ticketless Travel

*949. **Shri Ram Krishna :** Will the Minister of **Railways** be pleased to state :

(a) whether it is a fact that Railway police and other Railway employees allow passengers to travel without issuing tickets with a view to misappropriate the money; and

(b) if so, what steps Government propose to take in this direction?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) A few such cases have been detected on Railways.

(b) Prevention of such malpractices is a part of the programme for ticket checking and deterrent punishment is invariably inflicted on the staff found to be guilty.

श्री राम कृष्ण : क्या करप्शन इन्क्वारी कमेटी (भ्रष्टाचार जांच समिति) में भी उस के मुताल्लिक कोई शिकायत नहीं हुई ?

Shri Alagesan: That is what I pointed out already.

श्री म० ला० द्विवेदी : मैं जानना चाहता हूं कि टिकेटलेस ट्रैवेल (बिना टिकट यात्रा) रोकने के लिये सरकार ने कोई ऐसा इन्तजाम किया है कि जो रेलवे कर्मचारी बगैर टिकट लोगों को गुजरने देते हैं, उन की जांच पड़ताल करने के लिये कोई महकमा हो या विजिलेंस विभाग हो जिस से रेलवे प्रशासन सुधर सके ।

रेलवे तथा परिवहन मंत्री (श्री लाल बहादुर शास्त्री) : वैसे तो हम और सभी कदम उठाते हैं, लेकिन खास चीज जो हम संगठित कर रहे हैं वह यह है कि सर्प्राइज चेक्स (अचानक छापे) हों, यानी स्टेशन वैगन्स पर पुलिस और टिकट कलेक्टर छोटे स्टेशनों पर साथ साथ जायें और वहां पर एकदम से पहुंच कर जांच करें, और अगर किसी तरह से मैजिस्ट्रेट वगैरह वहां पर मिल जायें तो वहीं पर उन्हें सजा दे दें या जुर्माना कर दें । इसका असर अच्छा हुआ है और हमें आशा है कि अगर इस को हम और ज्यादा बढ़ायेंगे तो और भी फायदा होगा ।

Mr. Speaker: All these things were extensively discussed at the time of the budget.

Pilferage in Trains

*950. **Shri Jhulan Sinha:** Will the Minister of **Railways** be pleased to state whether there has been any improvement in the position of pilferage and theft of goods in running trains, station yards and goods sheds on the N.E. Railway during the last two years?

The Deputy Minister of Railways and Transport (Shri Alagesan): Yes. There has been a noticeable improvement in the position.

As against 935, 882 and 845 thefts of various kinds in 1952-53, 1953-54 and 1954-55 respectively, there were only 518 such cases during 1955-56.

Shri Jhulan Sinha: May I enquire if this improvement has been due to the general tightening up of the administration or due to some special method?

Shri Alagesan: It is due to both. We have increased the number of inspectors. We have also reorganised the watch and ward system under the name of Railway Protection Force.

All these steps have gone to produce better results.

Mr. Speaker: These are general questions—ticketless travel, pilferage in train, etc. Next question.

Pandit D. N. Tiwary: I want to put one special question.

Mr. Speaker: Yes.

Pandit D. N. Tiwary: May I know whether it has come to the notice of the administration that railway employees also do take part in this pilferage and, if so, the number of cases detected so far and the action taken against the employees?

Shri Alagesan: This question also has been put several times and has been answered. I cannot, without notice, give the number of cases in which the railway employees are involved, the number of cases detected and the number of cases where punishment has been given.

Calcutta Port

*953. **Shri Raghunata Singh :** Will the Minister of **Transport** be pleased to state what steps are being taken to remove congestion at Calcutta port?

The Deputy Minister of Railways and Transport (Shri Alagesan): A statement is laid on the Table of the Lok Sabha [*See* Appendix VI, annexure No. 1].

Shri Bhagwat Jha Azad: The statement says that the average detention to import vessels has been reduced to 1.2 days in the first half of July 1956, and that in the second half of July, 1956, there has been an increase. May I know by how many days there has been an increase and whether there is any likelihood of reducing the pace of this forcible haulage in the Second Five Year Plan?

Shri Alagesan: It is due to severe bore tide restrictions that this set back has occurred. But we want to improve matter and see that this is reduced as much as possible.

Shri Matthen: May I invite the attention of the hon. Deputy Minister to the report of the World Bank Mission suggesting that this congestion in the Calcutta port can be eased only by having a port for the export of coal and ores on the west bank of Hooghly? Is the hon. Minister considering that suggestion?

Shri Alagesan: That is very much under our consideration and the mechanisation of the ore berths will lead to better results. That is being taken up now.

Shri Joachim Alva: The statement says that in May, 1956, 59,000 tons of steel products would have to be handled, which is equal to the entire tonnage handled in 1951-52. May I know whether the Government has got any immediate—schemes by which this extra tonnage will be handled?

Shri Alagesan: The statement says that such a large quantity of steel arrived in one month, a quantity which was to be spread over the entire previous year. We have taken steps for quickly clearing these huge arrivals of steel etc. As a part of the programme, dumps have been created—where the arrivals are kept and the port itself is cleared. We have also asked the importers to clear the quay-side and the transhipment sheds quickly. We have imposed a time-limit, so that they may clear the goods as soon as they arrive.

Shri Bhagwat Jha Azad: May I know whether it is a fact that the detention to import vessels which was less in the first half of July has increased since then? By how many hours has it increased?

Shri Alagesan: I think the hon. Member is repeating the question; I am not able to give the number of hours.

Shri Bhagwat Jha Azad: I am not asking for the reasons. In the first half of July the average detention was 1·2 days; in the second half of July, it increased. I want to know by how many days has increased.

Mr. Speaker: Does the hon. Member propose to be going on repeating the question when the hon. Minister is not able to answer it? He has not got the figures.

Shri Bhagwat Jha Azad: He should not avoid the question; he should say that he wants notice.

Mr. Speaker: When he does not answer it, he wants notice. If a particular question is not answered, the hon. Member may treat it as no answer being given.

Shri S. C. Samanta: May I know what steps have been taken regarding the replacement of old locomotives in the Calcutta Port railway system?

Shri Alagesan: The Calcutta port has recently acquired 10 new locomotives. They are also going to acquire more wagons, more cranes etc. which will facilitate the clearance of the port.

Mr. Speaker: Next question; Shri Gidwani.

Shri Gidwani: May I know whether the development of Calcutta port.....

Mr. Speaker: I asked the hon. Member to put the next question No. 954.

Unlicensed Radio sets

*954. **Shri Gidwani:** Will the Minister of **Communications** be pleased to state:

(a) whether many Radio receiver sets were being operated without licences in Delhi circle as revealed in recent check-up;

(b) whether any Government employees were among those who were operating them without such licences; and

(c) whether action has been taken in the matter and if so, what?

The Minister of Communications (Shri Jaglivan Ram): (a) 471 cases were detected during the recent check up out of which 126 Radio receiver sets were found without licenses and the remaining 345 cases are still under investigation.

(b) Yes.

(c) Yes. Persons found operating Radio receiver sets without licenses have been asked to take out licenses on payment of surcharge in addition to license fee.

Shri Gidwani: In reply to part (b) of my question, the hon. Minister said "Yes". May I know how many Government servants were involved and also whether any M.Ps. were involved?

Mr. Speaker: How does "Government servents" include M.Ps.?

Shri Gidwani : All right ; I will restrict my question to Government servants.

Shri Jagjivan Ram : Out of these 126 cases; 56 were Government employees.

Shri Gidwani : What is the punishment awarded to them ?

Shri Jagjivan Ram : There is no seperate punishment for Government employees ; they have also to pay the surcharge as others.

श्री म० ला० द्विवेदी : मैं जानना चाहता हूं कि क्या सरकार को यह बात मालूम है कि देहातों में जिन लोगों के पास टूटे फूटे रेडियो सेट भी हैं, उनको भी जबरदस्ती लाइसेंस लेने पर मजबूर किया जाता है, यदि हां, तो क्या सरकार इस चीज को न होने देने के लिए कोई सुधार करेगी ?

श्री जगजीवन राम : टूट जाने पर या तोड़ दिये जाने पर, अगर इसकी सूचना विभाग को दे दी जाए, तो लाइसेंस लेने की आवश्यकता नहीं होती है ।

Central Road Fund

*955. **Shri S. C. Samanta** ? Will the Minister of **Transport** be pleased to refer to the reply given to Starred Question No. 2323 on the 18th May, 1956 and state :

(a) whether the Government of West Bengal have drawn any money from the Central Road Fund since 1st April, 1956 from the unspent balance of Rs. 131·67 lakhs; and

(b) if so, how many schemes were submitted and sanctioned ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) and (b). The State Government have recently asked for an allotment of Rs. 9·77 lakhs to cover the expenditure on all the works in progress during the 1st quarter of the current year, which is being sanctioned. Only one new scheme has been submitted by the State Government for approval on which orders will issue shortly.

Shri S. C. Samanta : May I know what sum was allotted for 1955-56 and whether in the schemes submitted by the State Governments the whole sum was spent ?

Shri Alagesan : This is a continuing affair; no sums are being allotted. The State Government are informed of the balance that are available in their accounts. The balances standing against the accounts of various States were given in answer to a previous question. It is for the State Governments to utilise the balances by sending fresh schemes for approval.

Shri S. C. Samanta : May I know whether the procedure to send letters to each State Government about the unspent money is being continued ? If so, what are the replies from the State Governments ?

Shri Alagesan : By means of a circular we have brought it to the notice of the various State Governments that large balance are available in their accounts and they may send up suitable programmes for execution.

Shri N. M. Lingam : May I know the special difficulties experienced by the West Bengal Government in utilising the sum allotted to them from the Central Road Fund ? May I also know whether the Centre tried to remove those difficulties ?

Shri Alagesan : These are entirely within the ambit of the State Governments' activities. West Bengal is a Part A State; it has got a P. W. D. etc. and it has got experience also. It is not one of the small States. We are not aware of any special difficulties that they are experiencing ?

Shri S. C. Samanta : In how many cases were the schemes submitted by the West Bengal Government not accepted by the Central Government ?

Shri Alagesan : It is not a question of our not accepting anything. We might have asked for further information on the matters that were referred to us. Otherwise there is no question of our not accepting any scheme. Generally the approval is given.

Soil Erosion

*956. **Shri A. K. Gopalan** : Will the Minister of **Food and Agriculture** be pleased to state :

(a) the measures taken by Government to prevent soil-erosion in the uplands of Travancore-Cochin; and

(b) the progress of such measures up-to-date ?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) A Soil Conservation Scheme is under execution by State Government since 1955 with financial assistance from the Government of India.

(b) From the inception of the Scheme in January 1955, Contour terracing & trenching work has been completed on a total area of 2533 acres up to the end of June, 1956.

Shri A. K. Gopalan : May I know when the other incomplete portion wi be completed ? In how many months will it be done ?

Dr. P. S. Deshmukh : The scheme is proceeding and as the work is done, whatever we have promised to give will be given .

Shri Achuthan : May I know whether the works are spread throughout the districts ? If so, what are the major works in each district and what is the present strength of the labour force employed ?

Dr. P. S. Deshmukh : I have no exact information about the persons employed. But , so far, altogether 58,640 people were employed. For the year 1956-57, 2,069 people were employed. So far as the work being spread to each district is concerned, it is the concern of the State Government.

Shri L. N. Mishra : May I know whether the Government of Australia have made some special offer for soil conservation, erosion and flood control measures and, if so, the nature of such offer.

Dr. P. S. Deshmukh : There's no such offer, to my knowledge. There are certain discussions going on about better use of water resources. But even there no final decsion has yet been arrived at.

Shri Kasliwal: What are the measures taken by Government to prevent soil erosion ? May I also know whether about the establishment of the soil conservation boards in various States, Government have received any complaint from any State that there is considerable lack of activity by the soil conservation board ?

Dr. P. S. Deshmukh : The activity and earnestness of each board certainly differ from board to board. There has been no complaint of the nature my friend has suggested. We have, however, found that some boards are active and others are yet to be fully activised.

Pandit D. N. Tiwary : In view of the fact that soil erosion has become an all India question and there is soil erosion in every State for instance, by Ganges in Bihar—what steps have the Government taken to co-ordinate the plans for all the States so that soil erosion may be arrested ?

Dr. P. S. Deshmukh : I cannot say what co-ordinated plans we have undertaken in replies to a question. But we have certainly taken an all India view of all those places where soil erosion takes place. We have set up certain research centres and certain other experimental demonstration centres all over India and we are trying to prevent every type of soil erosion, including river erosion.

Pandit D. N. Tiwary : How many centres are there in Bihar ?

Mr. Speaker : We have enlarged this question. This relates only to Travancore Cochin. Mr. Gopalan. may put his question.

Shri A. K. Gopalan : May I know whether any steps have been taken on the Malabar side and, if so, whether there have been any reports about them ?

Dr. P. S. Deshmukh : I cannot specifically refer to what exactly is being done. But we are taking care of every kind of soil erosion.

Banihal Tunnel

***957. Shri Krishnacharya Joshi:** Will the Minister of **Transport** be pleased to state:

(a) the progress of work on the Banihal Tunnel Project during 1956 so far; and

(b) the amount spent so far on its consturction ?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) A statement is laid on the Table of the Lok Sabha. [*See* Applendix VI, annexure No. 2].

(b) Rs. 53·59 lakhs upto June, 1956.

Shri Krishnacharya Joshi: May I know when these tunnels will be completed.

Shri Alagesan: It was programmed to complete the first tube by November 1956 and the entire work by April 1958. Now, on account of certain special difficulties encountered, these dates may have to be put off.

Shri Krishnacharya Joshi : May I know what is the estimated cost of construction of this tunnel ?

Shri Alagesan: About three crores of rupees.

Pandit Fotedar: May I know whether the Government have any assessment of the probable date when the tunnel will be thrown open to traffic ?

Shri Alagesan: As per present position, it is expected that the first tube will be available for traffic by about the end of December. But I am not very sure about it.

Pandit Fotedar: Is it a fact that the previous assessment of the Government was that the tunnel would be thrown open to the traffic in the month of November 1956 ?

Shri Alagesan: I said so.

Shri S. V. Ramaswamy: What are the special difficulties which they could not anticipate when the scheme was launched upon?

Shri Alagesan: They came to light later on as they went on driving the pilot tube. The rock was found to be softer than what was assumed. It was originally assessed that it would be enough if we lined the tunnel for about half the length with cement. Now it looks as if the whole tunnel has to be lined. And the old tunnel which was functioning gave way and the contractor's staff and officers had to be diverted to set right the old tunnel. That also put off the progress of the work of the new tunnel.

सेठ अचल सिंह : सरकार इस टनल पर इतना रुपया खर्च कर रही है, लेकिन क्या उस को इस टनल से कुछ इनकम भी होगी या नहीं ?

रेलवे तथा परिवहन मंत्री (श्री लाल बहादुर शास्त्री) : अभी तो खर्च ही हो रहा है। आमदनी का सवाल बाद में आयगा ।

Shri Kamath : Has the Ministe r's attention been drawn to certain reports that the serious damage which occurred to parts of the tunnel, resulting in the virtual collapse of certain parts, might have been the work of certain saboteurs and anti-Indian elements operating in the State of Jammu and Kashmir?

Shri Lal Bahadur Shastri: I do not know whether the hon. Member is referring to the old tunnel.

Shri Kamath : Old tunnel.

Shri Lal Bahadur Shastri : There is no basis for making that type of assumption.

Shri Kamath : Was there any damage to the new tunnel?

Shri Lal Bahadur Shastri: No. Not yet.

Shri Bhagwat Jha Azad : Would the difficulties, apart from taking the original schedule of time to further ahead, in any way contribute or lead to increase in the original estimate also?

Shri Alagesan: I am not able to say. It may not lead to any increase.

Bengal Provincial Railway Company

*959. **Shri Tushar Chatterjea:** Will the Minister of **Railways** be pleased to state:

(a) whether any representation has been received by Government from the public of Dasghara to the effect that as a result of abolition of Bengal Provincial Railway Company of West Bengal, public of that area are in great distress and that Government should intervene to continue running of the Railway in that area till some alternative transport arrangement is made; and

(b) if so, the steps Government have taken or propose to take in the matter?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No representation has been received from the public of Dasghara. A representation was, however, received in March last from the public of Magraganj but it was considered that road services could adequately meet the needs of transport in that area.

(b) Does not arise in view of the answer to (a) above.

Shri Tushar Chatterjea : Has the Government made any enquiry into the question that there is no road from Dasghara to Magraganj? That was the only link connecting them.

Shri Alagesan: This is a matter in which we have been in close consultation with the State Government. The State Government also extended some financial assistance for the activities of this Company. Now the Company has gone into voluntary liquidation. There is a road available and buses are plying on the road. That is our information.

Shri Tushar Chatterjea: In view of the fact that in connection with this Railway, the Railway Minister promised several times in this House that the railways would not be closed without any alteranative transport and in view of the fact that there is no transport now, how is it that Government has not intervened in the matter?

The Minister of Railways and Transport (Shri Lal Bahadur Shastri): I have never said like that—that these railways will never be closed, No. 1., it is a private company. I cannot compel them to function all the time. If they cannot work the railways, well, they have to close it down. No. (2), there is already a road and (3) some subsidiary roads are being built by the West Bengal Government and the Centre is giving them adequate financial assistance.

Shri Tushar Chatterjea: There is some misrepresentation. I say that the Railway Minister promised that this railway would not be closed without making any

alternative transport arrangements. Secondly, there may be roads. But no transport is there. What about these two points?

Shri Lal Bahadur Shastri: There is a road, as the Deputy Minister has just now informed, and further roads will be built in that area.

Commercial Staff in Eastern Railway

*960. **Shri H. N. Mukerjee:** Will the Minister of **Railways** be pleased to state:

(a) whether he has received representations from the Commercial Staff of Eastern Railway for the abolition of a practice, allegedly introduced since 1951, of holding a general examination for promotion of candidates even to non-selection posts;

(b) whether his attention has been drawn to a judgment of the Calcutta High Court on the 25th November, 1955, wherein such practice was declared to be illegal;

(c) whether it is a fact that he has on several public occasions expressed himself against examinations for promotion to non-selection posts; and

(d) what steps are contemplated in the matter?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) Yes. But rules have since been amplified to permit of departmental tests being held for promotion to non-selection posts.

(c) This is not correct.

(d) Does not arise in view of reply to part (b).

Shri H. N. Mukerjee: May I know if it is a fact that under cover of a departmental test it is being sought to have a general qualifying examination even for promotion to non-selection posts though the High Court had clearly indicated that that was not warranted?

Shri Alagesan: The Railway Board's interpretation has always been that the railway administrations can hold these examinations for promotion even to non-selection posts, but the High Court interpreted the rule as it then stood as not permitting an examination for a group of individuals. They said that an examination could be held for an individual but not for a group of individuals. As I stated in the answer, the rule has been amplified to bring even departmental tests within the scope of the operation of this rule. These examinations are not meant as a cover, but they are meant to increase the efficiency of the staff in discharging their respective duties.

Shri T. B. Vittal Rao: The compilation of the posts in various categories in the selection and non-selection posts was taken up by the Railway Board some years ago. May I know whether the lists have since been finalised?

Shri Alagesan: They have been finalised.

पोस्टल गाइड

*९६१. **श्री म० ना० सिंह :** क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को मालूम है कि हिन्दी में जो पोस्टल गाइड (डाक-निर्देशिका) प्रकाशित हुआ है, उसमें नियमों, रजिस्ट्री की दरों, और इसी प्रकार की अन्य चीजों में किये गये परिवर्तनों तथा संशोधनों को सम्मिलित नहीं किया गया है; और

(ख) क्या सरकार जल्दी ही हिन्दी पोस्टल गाइड का नवीतनतम जानकारी देने वाला एक नया संस्करण प्रकाशित करेगी ?

संचार मंत्री (श्री जगजीवन राम) : (क) जी, हां ।

(ख) जी, हां ।

Mr. Speaker: Hon. Members who occasionally put questions must at least stand up so that I may have a look at them.

Shri M. N. Singh: I stood up.

Mr. Speaker: I am not able to remember the names of hon. Members who take part in the proceedings occasionally, and therefore when they put one or two questions, they may stand up so that I may remember their names.

Shri M. N. Singh: I stood up.

पंडित द्वा० ना० तिवारी : यह अब हिन्दी में छपने जा रहा है पर अब तक नहीं छपा था । इसका क्या कारण था, क्या अनुवाद नहीं हो सका या दूसरी कोई कठिनाई पड़ गयी ? यह पहले ही हिन्दी में क्यों नहीं छपा ?

श्री जगजीवन राम : पहले तो हिन्दी में छपा था लेकिन १९५५ में नहीं छप सका और इसलिये इस बीच में जो बातें हुई वे उसमें नहीं आ सकीं । लेकिन जो संशोधन होते हैं वे हिन्दी में भी पोस्टल नोटिसेज़

द्वारा प्रकाशित कर दिये जाते हैं और डाक-खानों में लगा दिये जाते हैं ।

श्री म० ना० सिंह : यह कब तक छप कर तैयार हो जायेगा ?

श्री जगजीवन राम : १९५६ में निकल जायेगा ।

सेठ गोविन्द दास : क्या यह आशा की जा सकती है कि इसका जो नया संस्करण निकलेगा वह पूरे हिन्दी के सुधारों के साथ निकलेगा ?

श्री जगजीवन राम : यह तो हिन्दी में ही निकलेगा । लेकिन उस हिन्दी को लोग कैसे पसन्द करेंगे वह तो व्यक्तियों पर निर्भर करेगा । कुछ सरल हिन्दी को ही हिन्दी समझेंगे और कुछ संस्कृत के शब्दों वाली हिन्दी को ठीक हिन्दी समझेंगे । लेकिन लेकिन मेरा प्रयत्न तो यह होगा कि ऐसी हिन्दी हो जो सर्वसाधारण की समझ में आजाये ।

श्री म० ला० द्विवेदी : क्या सरकार को यह मालूम है कि हिन्दी के प्रकाशन अधिकांश विलम्ब से निकलते हैं ? चूंकि इस देश में हिन्दी बोलने वालों की संख्या बहुत बड़ी है, इसलिये क्या सूचना मंत्रालय इस बात का प्रयत्न करेगा कि हिन्दी के प्रकाशन यथासम्भव शीघ्र निकाले जाया करें ?

श्री जगजीवन राम : जी हां, कुछ देरी होना तो अनिवार्य है । सम्भवतः माननीय सदस्य को ज्ञात है कि अभी हमारे सामने कुछ कठिनाइयां हैं । अंग्रेजी के पर्यायवाची शब्द हिन्दी में अभी तक प्रचलित रूप से सामने नहीं आ पाये हैं । एक ही शब्द के हिन्दी में कई एक पर्यायवाची शब्द होते हैं और उनकी वजह से कुछ भ्रांतियां पैदा हो जा सकती हैं । इन कठिनाइयों को दूर करने में कुछ समय लगना अनिवार्य है ।

Shri B.S. Murthy : May I know whether any steps are being taken to print in other regional languages?

Shri Jagjivan Ram: I think they are printed in some of the regional languages.

Shri S. C. Samanta : May I know whether these Hindi copies of the guide are being printed by the department or through the Works, Housing and Supply Ministry?

Shri Jagjivan Ram: It is the look-out of the W.H.S. Ministry whether they are printed in the Government Press or through the private press.

Sugar Factory

*962. **Shri Bishwa Nath Roy** : Will the Minister of **Food and Agriculture** be pleased to state whether installation of any sugar factory would start this year or next year in Uttar Pradesh in view of considerable increase in acreage of sugarcane cultivation and in its yield in that State ?

The Minister of Agriculture (Dr. P. S. Deshmukh) : A statement is laid on the Table of the Lok Sabha. [*See* Appendix VI, annexure No. 3].

Shri Bishwa Nath Roy : What is the crushing capacity of factories proposed to be established this year or next year?

Dr. P. S. Deshmukh : The crushing capacity of cane per day will be 1,000 tons for the factory at Baghpat, 2,000 for the factory at Bist (Dist Nainital), 1,200 for the fatory at Bazpur and 800 for the factory at Nawabganj.

Shri Bishwa Nath Roy : When will these factories start crushing ?

The Minister of Food and Agriculture (Shri A. P. Jain) : It is expected that the Nawabganj factory will start crushing in the 1956-57 season. The Bhist and Bazpur factories will start crushing in 1957-58 and the Baghpat factory in 1958-59.

श्री विभूति मिश्र : मैं जानना चाहता हूं कि नैनी फैक्ट्री जो कि चल नहीं रही है, उसको चलाने के लिए सरकार क्या प्रबन्ध कर रही है ?

श्री अ० प्र० जैन : जितनी फैक्टरियां चल सकती थीं उनको तो हमने चला दिया है, उनके ऊपर कंट्रोलर मुकर्रर कर दिया है । मैं नहीं कह सकता कि नैनी फैक्ट्री के अन्दर क्या कमी है । मुमकिन है वह बहुत

छोटी हो या उसका प्लांट इतना रद्दी हो कि वह नहीं चल सकती हो ।

Birth Centenary of Lokamanya Tilak

*963. **Shri Kamath :** Will the Minister of **Communications** be pleased to state :

(a) whether it is a fact that stamps commemorating Lokamanya Bal Gangadhar Tilak's birth centenary have already been used before their official issue ;

(b) whether the matter has been inquired into ; and

(c) if so, with what result ?

The Minister of Communications (Shri Jagjivan Ram) : (a) and (b). Yes.

(c) Enquiries are still in progress. From the reports so far received, it appears that it was purely accidential that the stamps happen to be issued before the prescribed date through some offices in the interior. Suitable action will, however, be taken to avoid a recurrence of this nature.

Shri Kamath : Since 1947 uptill now we have issued several special stamps. Is this the first case of its kind or has it happened in the past also ?

Shri Jagjivan Ram : So far as I can say, this is perhaps the first case be of its kind.

Shri Kamath : How many States are involved in this leakage *prima facie* according to the information in Government's possession ?

Shri Jagjivan Ram : As I have said, this occurred in some of the post offices in the interior in three circles, in the Punjab, Orissa and Uttar Pradesh.

Shri Kamath : On what date were these special stamps in commemoration of Lokamanya Tilak printed and consignments made available to the various States ?

Mr. Speaker : I have no objection to these details, but I am not able to follow the point the hon. Member is driving at.

Shri Kamath : Press reports showed that the various States among which Madhya Pradesh is also involved, issued them two or three days in advance. The dates of the defacing or the cancellation of the various stamps are given. So, I want to know whether Government takes enough precuations to see that the stamps are not sent to the various States long before they have to be actually issued.

Shri Jagjivan Ram : If the hon. Member will take a practical view of the matter, he will agree that the stamps will have to be sent to the various States well in advance.

Shri Kamath : How much ahead ?

Shri Jagjivan Ram : I have not got the exact dates here, but I may explain, with your permission, Sir, the method followed in these matters. The stamps are printed at Nasik. Then we send these stamps to the various treasuries in the different circles. When they get the indents from the post offices concerned, the treasuries issue the stamps, and if the stamps have to travel to the sub-offices, in the interior the stamps will have to be sent to the treasury two or three weeks before the date of the release of the stamps.

Shri Kamath : Are instructions not issued to the treasuries in the various States that these special stamps should not reach the sub-post-offices earlier than two or three days before the actual issue ?

Shri Jagjivan Ram : The instructions are issued to the treasuries as well as to the post offices, to both of them. The instructions to the post offices are that the particular packet is not to be opened before such and such a date and the stamps are not to be released before such and such a date. All these instructions are there, but in spite of all these instructions these things have happened in some of the interior places.

Shri Kamath : How many complaints have been received from the various philatelist organisations in the country and what is being done about them ?

Shri Jagjivan Ram : Complaints from whom ?

Shri Kamath : Complaints from various individual philatelists, that is, stamp collectors.

Shri Jagjivan Ram : About what ?

Shri Kamath : About this leakage. Various stamp collectors have complained that they have lost what is called the first day cover value. Have they complained to Government about this matter, and if so, is that matter also being connected with this enquiry ?

Shri Jagjivan Ram : I do not think that is a matter for any enquiry. The philatelists themselves are divided in their opinion. I am not a philatelist. But the philatelists are divided in their opinion, so far as I have been able to see in the Press. Some think that the date which was formally fixed for the release of

these stamps will be treated as the first day, and the clandestine ones will not be regarded as having any philatelic value.

C.A.R.E.

*964. **Shri Rishang Keishing**: Will the Minister of **Food and Agriculture** be pleased to state:

(a) the items of relief gifts received by India from Cooperative for American Remittances to Everywhere (CARE);

(b) the value of the relief gifts received during the past five years in terms of money; and

(c) how and to whom these relief gifts have been distributed?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Standard Food Packages, cotton packages, books, foodgrains, foodstuffs, drugs and medicines, multivitamin tablets, hospital equipment and supplies and agricultural implements.

(b) The Government of India have no information about the money value of the gifts.

(c) Under the terms of the relevant agreements with the Government of India, these relief gifts have to be distributed free by the CARE throughout the country for the benefit of the poor and needy persons irrespective of their race, caste or creed.

Shri Rishang Keishing: May I know whether Government propose to channelise all the foreign gifts of this kind through Government itself or Government-recognised agencies?

Dr. P. S. Deshmukh: There is under consideration a proposal to see that as much of these gifts as possible should be channelised through Government departments.

Shrimati Renu Chakravartty: May I know how much of these gifts have been distributed through the Congress committees, how much through the Bharat Sewak Samaj and how much through the Red Cross Society?

The Minister of Food and Agriculture (Shri A. P. Jain): None of these gifts have been distributed through the Congress committees. I do not know about the Bharat Sewak Samaj. But I do not think that any of these gifts have been distributed through the Bharat Sewak Samaj either.

श्रीमती कमलेन्दुमति शाह : क्या मैं जान सकती हूं कि दूध वगैरह के जो यह गिफ्ट्स हैं, यह गरीब बच्चों में भी बांटे गये हैं ?

श्री ए० प्र० जैन : यह गरीबों के ही बच्चों को बांटे जाते हैं और बिला किसी इम्तयाज के बांटे जाते हैं कि वे किस जाति के हैं ।

Shri Rishang Keishing: May I know whether Government have received any complaint regarding the manner of distribution of these gifts?

Shri A. P. Jain: Yes, someetimes there are complaints.

Shri L. N. Mishra: May I know whether it is a fact that in some places these gifts received from other countries are distributed through the agency of the Bharat Sewak Samaj and in some other places through Government agencies? Are Government aware that a list of the children getting these gifts is maintained, and mostly, only those children who belong to the backward classes, poorer classes, and the floodstricken people are given these doles and gifts?

Shri A. P. Jain: So far as the distribution through the Government agencies is concerned, the description given by the hon. Member is substantially correct. Full records are maintained, and proper distribution is being done.

Barasat-Basirhat Line

*966. **Shrimati Renu Chakravartty**: Will the Minister of **Railways** be pleased to state:

(a) at what stage is the construction of the broad-gauge railway line in lieu of the *ex*-Barasat-Basirhat Light Railway; and

(b) by what date is the work proposed to be completed?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). The field work of Preliminary Engineering and Traffic Surveys has been completed. Engineering report and estimate have been prepared by the Eastern Railway Administration and are under verification of the Financial Adviser and Chief Accounts Officer of that Railway. The Traffic report is yet to be finalised. It is too early to say when the work will be completed.

Shrimati Renu Chakravartty: May I request that Q. No. 984 connected with the same subject may also be answered along with this?

Mr. Speaker: Is the Minister willing to answer it?

Shri Alagesan: Yes.

Barasat-Basirhat Line

*984. **Shrimati Renu Chakravartty** : Will the Minister of **Railways be** pleased to state:

(a) whether it is a fact that the termination point of the proposed broad gauge railway on *ex*-Barasat-Basirhat Light Railway has been changed from Birati to Barasat; and

(b) if so, in what way will the line serve the triangle between Patipukur-Beliaghata and the main line?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Although no final decision has been taken in the matter the take-off point is likely to be Barasat.

(b) It is for the State Government to decide. It is understood a road is being constructed in the area.

Shrimati Renu Chakravartty: The Minister of Railways and Transport, Shri Lal Bahadur Shastri, had assured a deputation that met him last July that the work would be completed by December last year. Now, the Deputy Minister is telling me that there is no certainty as to the time by which the traffic report will be finalised. What is the difficulty?

The Minister of Railways and Transport (Shri Lal Bahadur Shastri): I might have said that the work would start at that time. I would not have said that it would be finished by that time.

Shrimati Renu Chakravartty: The Minister had also stated that instead of the line serving between Patipukur and Beliaghata, a new road is being constructed there. May I know whether it is a fact that the construction of that road has not yet started, and whether the alignment for the road has been finalised? Otherwise, what will happen to this triangle? Which line will serve it?

Shri Alagesan: As I said, more than half the distance between Patipukur and Beliaghata bridge is covered by the existing road, which goes up to Haruakkal. For the other half, the West Bengal Government propose to have a road and continue it and take it up to Beliaghata bridge. This road which will be almost on an alignment parallel to the existing railway alignment will serve the needs of that area.

Shrimati Renu Chakravartty : Could the Minister give us some idea as to the time by which the work will be taken up at least?

Shri Alagesan: On the road work or on the railway?

Shrimati Renu Chakravartty: On the railway.

Shri Alagesan: I am not able to say. We have to receive the traffic report and also the engineering survey reports. These have not yet been finalised. After these are received and studied, we can take up the work. I am not able to say at present when it will be taken on hand.

Vessel Salvage Operations

*967. **Dr. Ram Subhag Singh:** Will the Minister of **Transport** be pleased to state:

(a) whether Government have arranged through the Polish Ministry of Foreign Trade in Warsaw, to salvage the wreckage of three vessels namely *Ramdas*, *Dipavati*, and *Lakshmi* which sank in the Bombay harbour during 1947 and 1948;

(b) on what basis has this salvage work been arranged; and

(c) when this work will be undertaken?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) The Bombay Port Trust have, with the sanction of Government, given a contract for the salvage of the wreckage of the three vessels to the Polish Foreign Trade Organisation "Centromor".

(b) On a 'No Cure No Pay' basis.

(c) In October 1956.

Dr. Ram Subhag Singh: May I know the amount sanctioned for this purpose?

Shri Alagesan: The contract amount is Rs. 27 lakhs.

Dr. Ram Subhag Singh: Has any preliminary enquiry been made in regard to the salvaging of this ship?

Shri Alagesan: This has been pending with the Port Trust for a number of years. They have tried to get hold of various contractors, who somehow could not carry out this work, owing to the various difficulties involved. We shall be glad if this firm can finish the work within the time they have promised.

Shri Joachim Alva: In all these unusual undertakings which require high technical skill, do Government take care to stipulate that Indians are also associated for training and experience in these operations?

Shri Alagesan: Yes. There was one firm which was associated with an Indian firm. That firm offered, but that could not carry out the work, and somehow, it fell through.

Marine Engineers and Officers

*968. **Shri C. R. Narasimhan:** Will the Minister of **Transport** be pleased to state:

(a) the number of Marine Engineers and Officers which the existing Institutions propose to turn out during the Second Five Year Plan;

(b) whether schemes for the purpose are adequate and co-related to the programme for Indianising the shipping Industry;

(c) whether a shortfall of Marine Engineers and Officers in the future are proposed to be averted by any special scheme; and

(d) the nature of such schemes for turning out adequate Marine Engineers?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) 250 Marine Engineers and 280 Navigation Officers.

(b) Yes.

(c) and (d). No serious shortfall is anticipated. The position is, however, under constant review and, if necessary, the annual intake of the existing training institutions will be suitably increased.

Shri C. R. Narasimhan: May I know whether over and above the arrangements made in this country, there are plans to send trainees abroad for advanced knowledge?

Shri Alagesan: We have got training institutions. There are some who have gone abroad also and obtained the (extra) certificates.

SHORT NOTICE QUESTION AND ANSWER

Safeguard for Telengana

S. N.Q. No. 8. Dr. Lanka Sundaram: Will the Minister of **Home Affairs** be pleased to lay on the Table of the Sabha a statement of proposed Government action regarding safeguards for Telengana, arising out of the discussions in the Joint Committee on the States Reorganisation Bill and the discussions held subsequently with representatives of Andhra and Telengana?

The Minister in the Ministry of Home Affairs (Shri Datar): Yes. I have placed a copy on the Table of the House. [*See* Appendix VI, annexure No. 4.]

Dr. Lanka Sundaram: May I know whether the attention of the Government of India has been drawn to a series of garbled versions of the so-called agreement and the damage it has caused in creating doubts in the minds of the people of Andhra and Telengana regarding the so-called safeguards?

Shri Datar: That is the reason why a copy has been placed on the Table of the House.

WRITTEN ANSWERS TO QUESTIONS

National Co-operative Development and Warehousing Board

*943. **Shri Shree Narayan Das:** Will the Minister of **Food and Agriculture** be pleased to state the progress made in the direction of setting up of the National Co-operative Development and Warehousing Board and the All India Warehouse Corporation for which necessary legislation were passed during the Twelfth Session of the Lok Sabha?

The Minister of Food and Agriculture (Shri A. P. Jain): The selection of personnel for the National Co-operative Development and Warehousing Board is almostcomplete and the Board is expected to be set up very shortly. The question of setting up the Central Warehousing Corporation will be taken up after the Board is established.

Inspection of Stores

*948. **Shri Madiah Gowda:** Will the Minister of **Railways** be pleased to state:

(a) the number of cases in which materials for Stores that are inspected and passed by the Directorate of Inspection of the D.G.S. & D. was not found according to the specification by the Railways and rejected for the years 1954-55 and 1955-56; and

(b) how such cases of defective inspections by the Directorate of Inspection of the D.G.S. & D. are dealt with?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) 69 in 1954-55 and 112 in 1955-56.

(b) A statement is laid on the Table of the Lok Sabha. [*See* Appendix VI, annexure No. 5].

Indian Delegation to U.S.S.R.

*951. **Shri Radha Raman:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether an Indian delegation of experts is scheduled to visit U.S.S.R. next month for studying irrigation and drainage projects in that country under the auspices of the Food and Agriculture Organisation;

(b) whether there has been any delegation of such type (i.e. sent by U.N.) in the past; and

(c) if so, to which country and whether India was one of the delegates?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) The delegates left India for Russia on 31st August, 1956.

(b) Not to our knowledge.

(c) Does not arise.

Construction of Bridges

*952. **Sardar Iqbal Singh:** Will the Minister of **Transport** be pleased to state the amount of allocation drawn by the Punjab Government for the construction of bridges over the river Gaggar in Punjab in 1954-55, 1955-56 and 1956-57 so far?

The Deputy Minister of Railways and Transport (Shri Alagesan): A statement is laid on the Table of the Lok Sabha. [*See* Appendix VI, annexure No. 6].

Fertilizers

*958. **Shri M. S. Gurupadaswamy:**
Shri R. P. Garg:

Will the Minister of **Food and Agriculture** be pleased to state:

(a) the total amount of fertilizers produced in the country during 1955-56;

(b) the total requirements of the country during the Second Five Year Plan; and

(c) the names of the countries from where the fertilizers are proposed to be imported?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) to (c). A statement giving the required information is laid on the Table of the Lok Sabha. [*See* Appendix VI, annexure No. 7].

Goshalas

*965. **Shri U. M. Trivedi:** Will the Minister of **Food and Agriculture** be pleased to state whether Government have launched upon any scheme to improve the working of Pinjrapoles and *Goshalas*?

The Minister of Food and Agriculture (Shri A. P. Jain): Yes.

Inland Water Transport

*969. **Shri M. Islamuddin:** Will the Minister of **Transport** be pleased to refer to the reply given to Starred Question No. 1345 on the 11th April, 1956 and state;

(a) whether the investigation has been completed into the possibility of linking the Buckingham Canal with the Madras Harbour; and

(b) if so, the result thereof?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b) Not yet, Sir.

Tea Workers in Tripura (Bonus)

*970. **Shri Biren Dutt:** Will the Minister of **Labour** be pleased to state:

(a) whether the bonus decided to be given to the Tea-garden labourers has been given to the Tea workers of Tripura;

(b) if so, what amount has been paid to each worker and in how many gardens it has been given; and

(c) if not, the step Government propose to take in the matter?

The Deputy Minister of Labour (Shri Abid Ali): (a) to (c). The Government of Tripura has been requested to furnish the required information. It will be laid on the Table of the Lok Sabha in due course.

Railway Corruption Enquiry Committee

*971. **Thakur Jugal Kishore Sinha:**
Shri Asthana:
Babu Ramnarayan Singh:
Shri Deogam:

Will the Minister of **Railways** be pleased to refer to the reply given to Starred Question No. 792 on the 19th March, 1956 and state the steps that have been taken so far for implementation of the remaining recommendations of the Railway Corruption Enquiry Committee?

The Deputy Minister of Railways and Transport (Shri Alagesan): A statement is laid on the Table of the House. [*See* Appendix VI, annexure No. 8].

Employment Exchanges

*972. **Shri N. B. Chowdhury:** Will the Minister of **Labour** be pleased to state:

(a) the number of Employment Exchanges that are proposed to be handed over to the State Governments;

(b) what portion of the expenditure in respect of the Exchanges handed over will be borne by the Union Government; and

(c) whether any guarantee has been given to the present employees of the Exchanges that such transfer of authority would not affect their emoluments?

The Deputy Minister of Labour (Shri Abid Ali): (a) 137.

(b) 60%.

(c) It has been proposed to the State Governments that they should take steps to protect the existing emoluments of the staff, where necessary, by treating a part of their pay as personal pay.

Indian Labour Conference

*973. **Shri T. B. Vittal Rao:** Will the Minister of **Labour** be pleased to state:

(a) the reasons for the delay in convening the 15th Session of the Indian Labour Conference;

(b) when it is likely to be held;

(c) whether the subjects to be included in the agenda have been finalised; and

(d) if so, what are the subjects?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). The last Session of the Indian Labour Conference was held in 1955. The Conference is generally held once a year and the next session is proposed to be held in November, 1956.

(c) and (d). Not yet; the concerned interests are being consulted.

India-Burma Shipping Service

*974. **Shri D. C. Sharma :**
Sardar Akarpuri :

Will the Minister of **Transport** be pleased to refer to the reply given to Starred Question No. 390 on the 1st March, 1956 and state the present position in regard to the India-Burma Shipping Service?

The Deputy Minister of Railways and Transport (Shri Alagesan): Messers. Scindia Steam Navigation Company Ltd., Bombay, have agreed to resume the service with their M. V. "Sonavati" towards the end of this month. The vessel will however ply during the fair season from September to December, 1956.

As regards long-term arrangements, it has been decided that the Eastern Shipping Corporation. (Limited), Bombay should acquire a suitable vessel for regular employment in this run. The Corporation have already placed an order with the Hindustan Shipyard Ltd., Visakhapatnam for the construction of a suitable vessel and are also considering the possibility of acquiring a suitable second-hand vessel, pending the delivery of the new vessel.

Training in Dairy Service

*975. **Shri Madiah Gowda :** Will the Minister of **Food and Agriculture** be pleased to state:

(a) how many students are trained in Dairy Science every year and what facilities are created for such training;

(b) whether it is contemplated to start a degree course in Dairy Science; and

(c) if so, when it will come into effect and at what cost?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) to (c). A statement is laid on the table of the Lok Sabha. [*See* Appendix VI, annexure No 9].

Agricultural Museum

*976. **Shri Ram Krishan :**
Shri Bhakt Darshan :

Will the Minister of **Food and Agriculture be** pleased to refer to the reply given to **Unstarred Question** No. 1646 on the 2nd May, 1956 and state:

(a) whether the details regarding location etc. of Agricultural Museum have since been finalised; and

(b) if so, the details thereof?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) A tentative scheme has been prepared for the establishment of an Agricultural Museum at Delhi. But further action has been held up as financial resources necessary for the Scheme have not yet been assured for inclusion in the Second Five Year Plan.

(b) The details of the scheme will be worked out only after the scheme has been accepted in principle, for inclusion in the Plan.

State Farm

*977. **Shri Jhulan Sinha :** Will the Minister of **Food and Agriculture** be pleased to refer to the reply given to Starred Question No. 1372 on the 11th April, 1956 and state the present position with regard to the starting of the State farm with the aid of Russian agricultural machinery and equipment?

The Minister of Food and Agriculture (Shri A. P. Jain): Out of the total area of 30,670 acres earmarked for this farm the State Government have already delivered possession of 14,600 acres. It has been decided to start the farm immediately and an area of about 4,000 acres will be brought under cultivation during the coming *Rabi* season. The necessary equipment is already on the move to the farm site and it is hoped that the actual cultivation of the land will commence on 15th August 1956.

Ring Railway Round Delhi

*978 { **Sardar Iqbal Singh :** **Shri Naval Prabhakar :**

Will the Minister of **Railways** be pleased to refer to the reply given to Starred Question No. 42 on the 17th February, 1956 and state :

(a) whether the scheme for a Ring Railway around Delhi and New Delhi has been finalised ;

(b) if so, the main features thereof ;

(c) what will be the first stage of its implementation; and

(d) the estimated expenditure to be incurred thereon ?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Not yet . The proposal is still under investigation.

(b) to (d) Do not arise.

जलपोत-निर्माण-विशेषज्ञ

*९७९. { श्री रघुनाथ सिंह : श्री वोडयार :

क्या परिवहन मंत्री यह बताने की कृपा करेंगे कि क्या यह सच है कि यूगोस्लाविया से उच्च कोटि के चार जलपोत-निर्माण-विशेषज्ञ भारत आये हैं, और वे जलपोत-निर्माण के बारे में भारत सरकार से बातचीत कर रहे हैं ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : जून, १९५६ के आखिर में यूगोस्लाविया से चार जहाज बनाने वाले विशेषज्ञों का एक दल भारत में आया था । इस दल ने डायरेक्टर जनरल शिपिंग और भारतीय जहाज मालिकों से बम्बई में बातचीत की और बाद में दिल्ली में भारत सरकार और वैस्टर्न शिपिंग कारपोरेशन (प्राइवेट) लिमिटेड के प्रतिनिधियों के साथ यह बातचीत जारी रही । वैस्टर्न शिपिंग कारपोरेशन ने एक जहाज बनाने के लिये आर्डर भी दे दिया है ।

Gazetted Officers in Railway's

*980 **Shri Radha Raman :** Will the Minister of **Railways** be pleased to state whether it is a fact that nearly 700 officers are likely to be added to the gazetted cadres of the Indian Railways during the first year of the Second Five Year Plan ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : Yes. This figure, however, represents the total requirements of Officers to be employed temporarily during the entire Second Five Year Plan of Indian Railways.

River Port on the Ganga

*981 { **Shri Shree Narayan Das:** **Dr. Ram Subhag Singh :**

Will the Minister of **Transport** be pleased to state :

(a) whether there is any proposal to build a river port on the Ganga at Patna ;

(b) if so, the nature of the scheme and the progress of work in this direction ;

(c) whether there is any scheme of development of river ports elsewhere also , and

(d) if so, important features of such schemes ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Yes

(b) and (d).The scheme envisages the provision of transit sheds, internal roads, landing facilities for river steamers and flats and rail connections etc.

Survey and investigation for the proposed port at Patna are now in progress.

(c) It is 'proposed to develop inland river ports at Manihari, Pandu, Gauhati, Dhubri and Karimganj.

हिन्दी में तार

*९८२. **श्री म० ना० सिंह** : क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को मालूम है कि छपरा (बिहार) इत्यादि जैसे कुछ वितरण-कार्यालयों में हिन्दी के तार रोमन में लिखे जाते हैं, जिसके फलस्वरूप उनको पढ़ना और समझना कठिन हो जाता है; और

(ख) यदि हां, तो क्या सरकार ऐसा आश्वासन देगी कि सारे तार देवनागरी में ही लिखे जायें ?

संचार मंत्री (श्री जगजीवन राम): (क) रोमन लिपि में हिन्दी-तार तभी भेजे जाते हैं जब कि हिन्दी जानने वाला प्रचालक अनुपस्थित हो और उसके स्थान पर कोई व्यक्ति तत्काल उपलब्ध न हो। उन्हें वितरण से पूर्व हिन्दी में फिर लिख दिया जाता है।

(ख) यह प्रश्न नहीं उठता, क्योंकि तारों के रोमन लिपि में भेजे जाने की दशा में भी वितरण के पूर्व उनका देवनागरी लिपि में अनुवाद किया जाता है। जब सब प्रचालक हिन्दी मोर्स जान जायेंगे तो रोमन अक्षरों का प्रयोग बन्द हो जायगा।

Attack on Rail Station

*983. **Shri Gidwani**: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that Naga rabels attacked Naginimora Railway Station 12 miles from Simalugiri, in Sibsagarh District on the 16th July, 1956 and looted Railway and civil properties and damaged the Railway Bridge between Santak and Dihubor stations disrupting train services; and

(b) if so, what action has been taken to prevent such occurrences?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes. On the night of 16th/17th July, 1956.

(b) A statement is laid on the Table of of the Lok Sabha. [*See* Appendix VI, annexure No. 10]

Postal Staff in Nilgiris

*985. **Shri H. N. Mukerjee**: Will the Minister of **Communications** be pleased to state:

(a) whether the attention of Government has been drawn to the discontent of the class III postal staff in the Nilgiris at the refusal of their hill allowance; and

(b) whether the decision is to be revised?

The Minister of Communications (Shri Jagjivan Ram): (a) The P. & T. staff in the Nilgiris in common with other Central Government staff are in receipt of allowances for costliness of living in hill stations. No such allowance has been denied to the P. & T. staff in particular.

(b) Does not arise.

Assistant Directors-General of Health Services

*986. **Shri Kamath**: Will the Minister of **Health** be pleased to state the number of Assistant Directors-General of Health Services?

The Minister of Health (Rajkumari) Amrit Kaur): There are eight posts of Assistant Director General of Health Services out of which five are filled at present.

All India Institute of Medical Sciences

*987. **Shri S. C. Samanta**: Will the Minister of **Health** be pleased to refer to the reply given to Starred Question No. 2087 on the 10th May, 1956 and state:

(a) how far the opening of an ear, nose and throat department with the All-India Institute of Medical Sciences, New Delhi has been followed up;

(b) whether orders for up-to-date equipment have been placed;

(c) if so, with whom; and

(d) whether qualified and experienced staff have been recruited?

The Minister of Health (Rajkumari Amrit Kaur): (a) The accommodation for the Ear, Nose and Throat Department of the All India Institute of Medical Sciences, New Delhi, will be provided in the main building of the Institute. The Building plans of the Department are ready and it is expected that construction will be completed in three years.

(b) and (c). As far as E. N. & T. department is concerned, no orders have yet been placed on the Director-General, Supplies and Disposals, New Delhi.

(d) No staff have been recruited so far.

Association of Employees in Management

*988. **Shri D. C. Sharma**: Will the Minister of **Labour** be pleased to state:

(a) whether any agreements have been entered into during the current year between the employees and the employer regarding the association of employees in the management on the lines of the agreement between the Tata Iron and Steel Company and the Tata Works' Union; and

(b) if so, the names of the Workers' Unions and Managements?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). We have information about two agreements. One signed on 21-2-56 was between the National

Newsprint and Paper Mills Ltd., Napanagar and its employees in Madhya Pradesh and the second, signed on March 6,1956, was between the Modi Spinning and Weaving Mills Co. Ltd., and the Modi Spinning and Weaving Mills Karmachari Union, Modinagar in Uttar Pradesh.

I.C.A.O.

*989. **Shri Ram Krishan:** Will the Minister of **Communications** be pleased to state the progress made so far in the recovery from Pakistan of their share of contribution to the I.C.A.O.?

The Minister of Communications (Shri Jagjivan Ram): I lay on the Table of the Lok Sabha a statement giving the requisite information. [*See* Appendix VI, annexure No. 11]

Air-Conditioned Vestibulated Trains

*990. **Sardar Iqbal Singh:**
Dr. Ram Subhag Singh:
Shri Bibhuti Mishra:

Will the Minister of **Railways** be pleased to state:

(a) whether Government had taken its final decision in regard to the introduction of air-conditioned vestibulated trains for long distance travel;

(b) if so, when the decision wll be implemented and the lines on which they will be introduced;

(c) whether there will be any difference in the fare to be chargd on these trains; and

(d) if so, what will be the difference?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) The proposal is to run vestibule fully air-conditioned train services as an experimental measure from 2nd October, 1956.

(b) It is intended to introduce the service between—

Delhi and Howrah
Delhi and Bombay Central
Delhi and Madras Central

(c) Yes, in respect of third class air-conditioned accommodation.

(d) The decision in respect of the exact level of fares has not yet been taken.

Adulteration of Ghee

*991. **Shri Jhulan Sinha:** Will the Minister of **Health** be pleased to state:

(a) the position with regard to the increase or decrease in the adulteration of edible oils and ghee in the country; and

(b) the effect of the enactment of measures for checking the same during the last few years?

The Minister of Health (Rajkumari Amrit Kaur): (a) and (b). The standards of quality for edible oils and ghee prescribed under the Prevention of Food Adulteration Act,1954 (37 of 1954) came into force on the 28th July, 1956. No investigations have been undertaken since the enactment of this Act to ascertain the position with regard to the increase or decrease in adulteration of edible oils and ghee in the country.

Over-Time Allowances

*992. **Shri H. N. Mukerjee:** Will the Minister of **Communications** be pleased to state:

(a) whether it is a fact that Class IV employees in the Foreign Post Division, Calcutta, get over-time allowance at the rate of three and a half annas per hour, while the corresponding rate is eight annas in R.M.S. and Foreign Post sections at Bombay, Madras and Delhi;

(b) whether the representation of the aggrieved employees are pending for more than five years; and

(c) if so, whether the disparity will be removed?

The Minister of Communications (Shri Jagjivan Ram): (a) No. The over-time allowance is not fixed on hourly basis but on the total attendance required and the work load which are different at the places mentioned.

(b) Yes.

(c) This is under examination.

Kharagpur Accident

*993. **Shri Kamath:** Will the Minister of **Railways** be pleased to refer to the replies given to Starred Question No. 166 and supplementaries thereon on the 21st July, 1956 and state:

(a) whether the Government Inspector's final report, complete with findings and conclusions on Kharagpur Accident has been received; and

(b) if so, whether a copy thereof will be laid on the Table of the Sabha?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Not yet.

(b) Does not arise.

Marketing Societies

554. Shri Ram Krishan: Will the Minister of **Food and Agriculture** be pleased to state:

(a) the names of the States where marketing societies have not been formed as yet; and

(b) the reasons for the delay?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Ajmer, Bhopal and Kutch.

(b) The Cooperative movement in the above three States is in its infancy. In the Second Five Year Plan, however, provision has been made for organisation in Ajmer, Bhopal and Kutch of 5, 8 and 9 marketing societies respectively.

Time-Tables

555. Shri Ram Krishan: Will the Minister of **Railways** be pleased to state:

(a) whether Government are aware that Railway time-tables are not made available at all stations where the mail and express trains stop and also at all Railway junctions; and

(b) if so, what action Government propose to take in this direction?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Railway Time Tables are stocked for sale at stations where there is adequate demand. It is true, however, that at certain stations where mail and express trains stop and at certain junction stations, there are no arrangements for their sale as the demand is not appreciable. Also at some of the stations where there is demand the stock is sometimes exhausted so that copies are not available.

(b) Arrangements are being made for stocking and sale of time-tables at additional stations and on a liberal basis.

Institute of Oil Technology

556. Shri Ram Krishan: Will the Minister of **Food and Agriculture** be pleased to state the stage at which the scheme for the establishment of an institute of Oil Technology as recommended by Central Oil Seeds Committee is?

The Minister of Food and Agriculture (Shri A. P. Jain): On the suggestion of the Planning Commission, an expert Committee has been appointed to visit certain existing technological research institutes in the country and to recommend where technological research on vegetable oils should be carried out. The Committee is expected to complete its work by December, 1956.

Funds have, however, been provided for the establishment of a Central Institute of Oil Technology in the Second Five Year Plan.

Divisional System

557. Shri Bheekha Bhai: Will the Minister of **Railways** be pleased to state:

(a) whether any extra expenditure would be involved in introducing the divisional system on Railways; and

(b) whether the present Regional Railway Users' Consultative Committees will be reconstituted according to divisions?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) It has not yet been worked out.

(b) Yes.

Medical Facilities in Tripura

558. Shri Biren Dutt: Will the Minister of **Health** be pleased to state:

(a) the steps taken to improve the health conditions in Tribal areas of Tripura during 1955-56 on the advice of the Tribal Welfare Board of that State;

(b) how many hospitals have been opened in areas suggested by the Welfare Board of Tripura during the period; and

(c) what has been the cost of meeting the demands of health services of Tribal people during 1955-56?

The Minister of Health (Rajkumari Amrit Kaur): (a) No Tribal Welfare Board exists in Tripura. A Tribal Advisory Committee was, however, formed in March last but no advice has so far been received from it.

(b) In view of the position stated in the reply to part (a), the question does not arise. The Tribal areas have not been separated from other areas.

(c) The expenditure of health services under the Tribal Welfare Scheme during 1955-56 was Rs. 52,171/- (Rupees Fifty two thousand one hundred and seventyone only).

Locomotives

559. Shri Feroze Gandhi: Will the Minister of **Railways** be pleased to state:

(a) the number of new locomotives (steam, diesel and electric) placed on line in the years 1945-46, 1946-47, 1947-48, 1948-49, 1949-50, 1950-51, 1951-52, 1952-53, 1953-54 1954-55, 1955-56 separately for each year;

(b) the number of over-aged or condemned locomotives (steam, diesel and electric) actually removed from line in the year 1945-46, 1946-47, 1947-48, 1948-49, 1949-50, 1950-51, 1951-52, 1952-53, 1953-54, 1954-55 and 1955-56 separately for each year; and

(c) the percentage of over-aged locomotives (steam, diesel and electric) on line to the total number on line as on the 1st April, 1956?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) to (c). A statement showing the required information is placed on the Table of the House [*See* Appendix VI, annexure No. 12].

Cashew Cultivation

560. Shri V. P. Nayar: Will the Minister of **Food and Agriculture** be pleased to refer to the reply given to Unstarred Question No. 21 on the 17th November, 1953 and state whether any survey of fallow and waste lands suitable for cashew cultivation has since been made and if so, details thereof?

The Minister of Food and Agriculture (Shri A. P. Jain): No such survey has been conducted by the Centre.

Planting of Cashew Saplings

561. Shri V. P. Nayar: Will the Minister of **Food and Agriculture** be pleased to state whether planting of cashew saplings have been taken up under the *Vanmahotsava* Scheme by the Centre or by any State and if so, how many cashew seedlings have been planted so far?

The Minister of Food and Agriculture (Shri A. P. Jain): The planting of Cashew has been advocated as part of the *Vanamahotsava*. As the trees planted are classified only under fruit trees and others, the number of Cashew Saplings planted is not available separately.

विदेश भेजे गये किसान

५६२. **श्री वाल्मीकी :** क्या खाद्य और कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) विदेशों से सम्पर्क स्थापित करने के लिए वर्ष १९५३-५४, १९५४-५५ और १९५५-५६ में कितने किसान युवकों को विदेश भेजा गया था; और

(ख) वे किन-किन देशों को भेजे गये थे ?

खाद्य और कृषि मंत्री (श्री अ० प्र० जैन) : (क) तथा (ख). एक विवरण सभा-पटल पर रखा जाता है । [देखिये परिशिष्ट ६, अनुबन्ध सं० १३]

National Highways in Punjab

563. Shri D. C. Sharma: Will the Minister of **Transport** be pleased to state:

(a) the present total mileage of the National Highways in Punjab;

(b) the estimated length proposed to be constructed in the next Five Year Plan; and

(c) the approximate cost incurred in this behalf during the currency of the First Five Year Plan and that proposed to be incurred in the Second Five Year Plan?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) to (c) A statement giving the required information is laid on the Table of the House [*See* Appendix VI, annexure No. 14].

घातवीय जल-स्रोतों का विकास

५६४. **श्री भक्त दर्शन :** क्या स्वास्थ्य मंत्री २० अप्रैल, १९५६ के तारांकित प्रश्न संख्या १६०१ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगी कि घातवीय जल-स्रोतों के विकास के सम्बन्ध में रूसी विशेषज्ञों द्वारा की गई सिफारिशों को कार्यान्वित करने के बारे में अब तक क्या प्रगति हुई है ?

स्वास्थ्य मंत्री (राजकुमारी अमृतकौर) : सरकार एक रूसी विशेषज्ञ के शीघ्र ही भारत आने की प्रतीक्षा में है । उनसे बातचीत करने के बाद रूसी विशेषज्ञों द्वारा की गई सिफारिशों पर आगे कार्यवाही की जायेगी ।

Ports

564. **{Shri D. C. Sharma : / Shri M. S. Gurupadaswamy :**

Will the Minister of **Transport** be pleased to state :

(a) whether Government have any scheme of equipping the ports of India with the latest harbour control radar equipment; and

(b) if so, the total expenditure to be incurred on them ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Yes. Harbour Control Radar will be installed at Kandla Port in 1957. Two experimental radars are also proposed to be installed, one at Kanderi Island, at the approaches to the port of Bombay, and the other at Saugar Island at the approaches to the Port of Calcutta.

(b) Rs. 3,70,000 at Kandla and Rs. 1,00,000 each at the Khanderi and Saugar Islands.

Wagons at Begusarai

566. Shri Bhagwat Jha Azad : Will the Minister of **Railways** be pleased to state what was the total number of wagons lying unused at Begusarai station on North Eastern Railway between the second week of May and the second week of June last?

The Deputy Minister of Railways and Transport (Shri Alagesan) : During the period from 8-5-1956 to 14-6-1956 no wagons remained unused.

Sugar-cane Research

567. Shri Ram Krishan : Will the Minister of **Food and Agriculture** be pleased to state :

(a) the total number of research projects proposed to be taken up at the Indian Institute of Sugar-cane Research, the Indian Institute of Sugar Technology and the Sugar-cane Breeding Institute during the Second Five Year Plan, State-wise; and

(b) the names of sites proposed to be chosen?

The Minister of Food and Agriculture (Shri A. P. Jain) : (a) and (b). A statement is laid on the Table of the House. [*See* Appendix VI, annexure No. 15].

B. C. G. Vaccination

568. Shri Krishnacharya Joshi : Will the Minister of **Health** be pleased to state the total number of B. C. G. Teams operating in the country at present?

The Minister of Health (Rajkumari Amrit Kaur) : 131 teams.

Labour Laws

569. Shri D. C. Sharma : Will the Minister of **Labour** be pleased to refer to the reply given to Starred Question No. 1969 on the 7th May 1956 and state the further steps taken to rationalise the number of workers whose interests are being safeguarded through the enforcement of Labour Laws by the Labour Commissioner (Central)?

The Deputy Minister of Labour (Shri Abid Ali) : Proposals to strengthen the staff of the Chief Labour Commission's Organisation and to revise the jurisdiction of the Regional Labour Commissioners have been formulated and are under consideration. These proposals are designed to raise the standard of effectiveness of the service rendered by the Industrial Relations Machinery, and to bring about, as far as possible, as more even distribution of work among the various regions.

Scheduled Castes Recruitment

570. Shri D. C. Sharma : Will the Minister of **Railways** be pleased to state:

(a) the number of posts reserved for the Scheduled Castes which were advertised by the Railway Service Commission, Madras, during the year 1955-56;

(b) the number of Scheduled Castes applicants for these posts;

(c) the number of Scheduled Castes called for interview in respect of these posts and

(d) the number of Scheduled Castes selected for these posts?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) 529.
(b) 4,311.
(c) 1,718.
(d) 508.

Telegraph Offices

571. Sardar Iqbal Singh : Will the Minister of **Communications** be pleased to state the number and names of places where Telegraph Offices have been opened so far under the scheme to establish Telegraph Office in 2000 towns having a population of 5000 or more in the Punjab and PEPSU?

The Minister of Communications (Shri Jagjivan Ram) : Telegraph offices have been provided at nine such places in the Punjab State and one in Pepsu, during the five years, 1951—56.

PUNJAB

1. Sur Singh
2. Mehm
3. Sultanwind
4. Bawal
5. Pundri
6. Ladwa
7. Bundala
8. Dharamkot
9. Tohana

PEPSU

1. Dhanaula.

Chandigarh Air Strip

572. **Sardar Iqbal Singh** :
Shri D. C. Sharma :

Will the Minister of **Communications** be pleased to state :

(a) when the air service through Chandigarh will start; and

(b) the type of aircraft that will be used for this purpose?

The Minister of Communications (Shri Jagjivan Ram) : (a) and (b). The matter is under consideration.

Mental Hospitals

573. Sardar Iqbal Singh : Will the Minister of **Health** be pleased to state :

(a) the number of mental patients in mental hospitals in India; separately at present; and

(b) the steps if any taken to increase the number of such hospitals in India?

The Minister of Health (Rajkumari Amrit Kaur) : (a) and (b). Two statements containing the required information are laid on the Table of the Lok Sabha. [*See* Appendix VI, annexure No. 16].

Playgrounds for P. & T. Employees

574. Sardar Iqbal Singh : Will the Minister of **Communications** be pleased to refer to the reply given to Unstarred Question No. 16 on the 17th February, 1956 and state :

(a) the number of Playgrounds for the employees of the Posts and Telegraphs Department in India at present ;

(b) the names of the places and the number of the players; and

(c) the total amount spent in 1955 for their maintenance?

The Minister of Communications (Shri Jagjivan Ram) : (a) 283.

(b) A statement giving detailed information in respect of names of places is laid on the Table of the House [*See* Appendix VI, annexure No. 17].

The number of players is 7,132.

(c) Rs. 4,926/12/6.

Telephone Connections in Delhi

575. Sardar Iqbal Singh : Will the Minister of **Communications** be pleased to state :

(a) the number of pending applications for telephone connections in New Delhi; and

(b) the number of telephone connections at present ?

The Minister of Communications Shri (Jagjivan Ram) : (a) 1981.

(b) 9999 main and 3117 extensions.

Pharmaceutical Enquiry Committee

576. Sardar Iqbal Singh : Will the Minister of **Health** be pleased to state the progress made in implementing the recommendations of the Pharmaceutical Enquiry Committee regarding centralisation of administration of drug control?

The Minister of Health (Rajkumari Amrit Kaur) : The recommendations of the Pharmaceutical Enquiry Committee are still under consideration.

गाड़ियों का आना-जाना

५७७. **श्री रघुनाथ सिंह** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि मत २५ जून को सत्याग्रहियों ने पूर्वोत्तर रेलवे के कटिहार और सिलीगुड़ी स्टेशनों के बीच गाड़ियों का चलना बन्द कर दिया था ; और

(ख) यदि हां, तो इसका कारण क्या था ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) जी हां ।

(ख) इसका सम्बन्ध राज्यों के पुनर्गठन के सिलसिले में उठाये गये आन्दोलन से था ।

Railway Concessions

578. Shri Shree Narayan Das Will the Minister of **Railways** be pleased to state :

(a) whether any representation has been received on behalf of the All India Maithili Sahitya Sammelan, Darbhanga from the Secretary, Vaidehi Samiti for granting railway concessions to delegates coming to attend the Sammelan from various parts of the country;

(b) if so, whether that has been considered and decision taken; and

(c) the nature of decision taken ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Yes.

(b) Yes.

(c) Concession has been granted to the delegates attending the Sammelan to be held at Darbhanga this month.

Poultry Farming

579. **Shri D. C. Sharma** : Will the Minister of **Food and Agriculture** be pleased to state whether technical assistance from foreign countries to train Indians in modern technique of poultry farming has been offered under the Colombo Plan ?

The Minister of Food and Agriculture (Shri A. P. Jain) : Yes, and the assistance is being availed of to train 6 persons during 1957.

Sheep Breeding Farms

580. **Shri D. C. Sharma** : Will the Minister of **Food and Agriculture** be pleased to state the estimated cost of the sheep breeding farms proposed to be established during the Second Five Year Plan period ?

The Minister of Food and Agriculture (Shri A. P. Jain) : It is proposed to establish 3 sheep breeding farms, with a fleece-testing laboratory attached to each, during the Second Five Year Plan period. The estimated cost of the 3 Sheep Breeding Farms, including fleece-testing laboratories, will be Rs. 9·78 lakhs.

कण्डाघाट स्टेशन

५८१. **डा० सत्यवादी** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को यह ज्ञात है कि कालका-शिमला सेक्शन के कण्डाघाट स्टेशन पर स्टेशन तक जाने वाली कोई सड़क न होने के कारण व्यापारियों को अपना माल बुक कराने में बड़ी कठिनाई होती है और माल धर्मपुर अथवा कालका तक ले जा कर बुक कराना पड़ता है; और

(ख) क्या इस कठिनाई को दूर करने के लिये किसी प्रस्थापना पर विचार किया गया है ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेसन) : (क) कंडाघाट स्टेशन का मालगोदाम कालका-शिमला रोड से ३८ फीट की ऊंचाई पर है । इस सड़क से मालगोदाम तक पहुंचने के लिये २३६ फ़ीट लम्बा रास्ता तय करना पड़ता है । पैने मोड़ और खड़े चढ़ाव-उतार के कारण मालगोदाम पर आने वाली सड़क मोटर-गाड़ियां आदि चलाने के लिये ठीक नहीं है । संभव है थोड़ा-बहुत माल, जो आम तौर पर इसी स्टेशन पर बुक किया जाता है, दूसरे स्टेशनों पर भेज दिया जाता हो ।

(ख) कुछ समय पहले मालगोदाम तक एक ऐसी सड़क बनाने का विचार था, जिस पर मोटरें चलायी जा सकें लेकिन चूंकि यातायात काफ़ी न था और पहाड़ी जगह होने के कारण सड़क बनाने की लागत का अनुमान बहुत ज्यादा आता था, इसलिये सड़क बनाने का विचार छोड़ दिया गया ।

Accident at Bezwada

582. **Dr. Rama Rao** :
Shri Mohana Rao :

Will the Minister of **Railways** be pleased to state :

(a) whether a head-on collision of two passenger trains was about to take place at Bezwada Station on 7th July, 1956 and was averted by the alertness of the driver of the on-coming train;

(b) whether any departmental enquiry has been made into the incident;

(c) if so, the findings thereof; and

(d) whether any reward has been awarded to the driver concerned ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) At about 18·11 hours on 7-7-56, while No. 1025 Masulipatam-Bangalore City Passenger train was occupying Line No. 1 (Platform No. 6), at Bezwada Station, No. 1044 Guntur-Masulipatam Passenger train also entered the same line from the opposite direction. The driver of No. 1044 stopped the train about 294 feet short of No. 1025 Passenger, thus averting a head-on collision between the two trains.

(b) and (c). A Joint enquiry was held by a Committee of Divisional Officers concerned. Their report is yet under examination. *Prima facie* the averted collision was the result of the points for the reception of No. 1044 Passenger train having been wrongly set for Line No. 1 instead of for Line No. 2 (Platform No. 5) on which the train was intended to be received.

(d) The Enquiry Committee have not recommended any reward. A driver is expected, as a part of his duty, to be vigilant and take timely action.

Superannuated Officers

583. **Shri Chandak** : Will the Minister of **Transport** be pleased to state :

(a) how many superannuated officers (category-wise) are there in the Ministry and what are the special reasons for re-appointing them after retirement;

(b) how long are these retired persons to continue in office; and

(c) how many officers are to retire during 1956-57?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) and (b). A statement is laid on the Table of the House. [*See* Appendix VI, annexure No. 18].

(c) Two.

Tourist Bureaus

584. **Shri Hem Raj** :
Sardar Iqbal Singh :

Will the Minister of **Transport** be pleased to state :

(a) the number of Tourist Bureaus proposed to be opened during the Second Five Year Plan period both in the country and abroad.

(b) the names of the places where they are proposed to be opened; and

(c) the expenditure to be incurred thereon and the proportion in which it will be shared by the Centre and States?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) to (c). A statement giving the required information is laid on the Table of the House. [*See* Appendix VI, annexure No. 19].

Fisheries

585. **Shri R. P. Garg:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) the total amount of income accruing to the country annually from Indian Fisheries;

(b) the number of fishermen and country crafts engaged in the fishing industry;

(c) the number of trawlers acquired from foreign countries during the last five years;

(d) the extent of improvement in neetting the fish after the acquisition of trawlers by the country; and

(e) the amount proposed to be spent during the Second Five Year Plan for the improvement of the fish Industry and the phase of the plan during the next five years ?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b). According to Report on the marketing of fish in India issued by the Directorate of Agricultural Marketing and Inspection, the estimated average annual income from fishing industry is about Rs. 18 crores, the population of adult fishermen, about 5 lakhs and the total number of fishing craft, about seventy thousand.

(c) Eleven, including four brought by a private Company in Bombay.

(d) These trawlers actually arrived during 1955 and have commenced fishing only recently. It is, therefore, too early to make an assessment.

(e) Rs. 398·5 lakhs (besides States Schemes amounting to Rs. 8 crores), phased as shown in statement laid on the Table of the House . [*See* Appendix VI, annexure No. 20].

स्टेशनों पर भोजन व्यवस्था

५८६. **श्री बादशाह गुप्त** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि क्या यह सच है कि लखनऊ के दारुल-शफ़ा के निकट स्थित "सर्वप्रिय भोजनालय" के व्यवस्थापक ने रेलवे-स्टेशनों पर साढ़े दस आने खुराक की दर पर, आजकल दिये जाने वाले भोजन से बढ़िया भोजन देने की कोई योजना प्रस्तुत की है ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : इस बात का पता नहीं चल रहा है कि इस तरह की कोई योजना सरकार या रेल-प्रशासनों को मिली है ।

Rice

587. **Shri Sanganna:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether the Deputy Minister for Food and Agriculture toured South India, Orissa and West Bengal to study food position during the first part of July, 1956; and

(b) if so, whether a statement showing the prospects of rice crop in that part of the country will be placed on the Table of the Sabha?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Yes, Sir.

(b) The prospects of the next rice crop in India appear to be very bright. All the major rice-growing areas have received ample and early rains this year. The delta

of Cauvery, Krishna, Godavari and Mahanadi, which are some of the most important rice-growing areas, have received ample water supply and the dams in the South are overflowing. A more accurate indication of the next rice crop will, however, be available only in October.

सेवा-निवृत रेलवे-पदाधिकारी

५८८. **श्री छु० चं० लोधिया** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) रेलवे मंत्रालय ने १९५१ से अब तक भारतीय रेलवे के कितने सेवा-निवृत्त उच्च-पदाधिकारियों की अवैतनिक सेवाओं का उपयोग किया है ;

(ख) किन-किन पदों पर इनकी सेवाओं का उपयोग किया गया ; और

(ग) भारतीय रेलवे के कितने सेवा-निवृत्त उच्च-पदाधिकारियों को पुनर्नियुक्त किया गया और किन-किन पदों तथा वेतन-क्रमों पर ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) दो ।

(ख) एक अफ़सर ने उस कमेटी में काम किया जो रेल-दुर्घटना जांच समिति और रेल उपस्कर समिति की रिपोर्ट पर विचार करने के लिये बनायी गयी थी । दूसरे अफ़सर ने उपनगरी रेल-यातायात में भीड़ की जांच करने के लिये जो कमेटी बनाई गयी थी उसमें काम किया । इस समय यह अफ़सर आसाम रेल-लिंक के मार्ग निर्धारण समिति में काम कर रहा है ।

(ग)

(अ) नियमित वेतन-क्रम में रखे गये अफ़सर	रिटायर होने के बाद काम पर रखे गये अफ़सरों की संख्या
१. सीनियर प्रशासी वेतन-क्रम (१८००–२२५० ०)	४
२. अध्यक्ष, रेलवे सर्विस कमीशन (२००० रु० जिनकी नियुक्ति १९५६ से पहले की गयी थी ।)	३
(१८०० रु० जिनकी नियुक्ति १९५६ के बाद की गयी ।)	
३. मेम्बर, रेलवे सर्विस कमीशन (१५०० रु० १९५६ से पहले ।)	४
(१३०० रु० १९५६ के बाद ।)	
४. जूनियर प्रशासी वेतन-क्रम (१३००—१६०० रु०)	५
	१६
(ब) मान वेतन पर रखे गये अफ़सर	४
जोड़	२०

Extension Training Centres

589. **Shri Hem Raj:**
Shri Ram Krishan:

Will the Minister of **Food and Agriculture** be pleased to state:

(a) the numbers of the Extension Training Centres and Basic Agricultural Schools opened during the First Five Year Plan, State-wise, with the names of the places where opened; and

(b) the number of such centres to be opened under the Second Five Year Plan, State-wise, with the names of the places where they are proposed to be opened?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Two statements furnishing the required information are laid on the Table of the House. [*See* Appendix VI, annexure No. 21].

(b) Two statements showing the number of Extension Training Centres and Basic Agricultural Schools to be opened under the Second Five Year Plan are laid on the Table of the House. [*See* Appendix VI, annexure No. 21].

The locations of each of these proposed centres are yet to be decided by the various State Governments.

Leprosy Clinic, Agartala

590. Shri Dasaratha Deb : Will the Minister of **Health** be pleased to state:

(a) the total number of leprosy patients who have received treatment in the Agartala Leprosy Clinic so far; and

(b) whether Government propose to open more leprosy clinics in Tripura?

The Minister of Health (Rajkumari Amrit Kaur): (a) 1,456 from 1951 to July 1956.

(b) No. It is, however, proposed to expand the existing Leprosy Clinic at Agartala during the Second Five Year Plan.

ग्राम सेविकायें

५९१. श्री खू० चं० सोधिया : क्या **खाद्य और कृषि** मंत्री यह बताने की कृपा करेंगे कि :

(क) ग्राम-सेविकाओं को प्रशिक्षित करने के लिये मध्य प्रदेश में खोले गये केन्द्रों में प्रशिक्षण की अवधि कितनी है और उनका पाठ्य-क्रम क्या है ; और

(ख) प्रशिक्षण पूरा कर लेने पर इन ग्राम-सेविकाओं को किस वेतन-क्रम पर सेवायुक्त किया जाता है ?

खाद्य और कृषि मंत्री (श्री अ० प्र० जैन) : (क) पूछी हुई जानकारी का एक विवरण सभा-पटल पर रख दिया गया है । [देखिये परिशिष्ट ६, अनुबन्ध संख्या २२] ।

(ख) अपने प्रशिक्षण के पूरे करने के बाद ग्राम सेविकाओं को जो वेतन क्रम दिया जायेगा वह यह है : रुपये ६०-६०-३-९०—योग्यता बार —५—१२५ ।

Gomoh Howrah Passenger Train

592. Shri N. B. Chowdhury: Will the Minister of **Railways** be pleased to state whether any steps have been taken to remove the difficulties of passengers due to very frequent late running of Gomoh-Howrah Passenger train in the South-Eastern Zone?

The Deputy Minister of Railways and Transport (Shri Alagesan): Late running of the Gomoh-Howrah Passenger train has not been frequent but occasional. Its performance is being closely watched and its punctuality has improved in July, 1956, as compared to that during the previous two months.

Employment Problem, Durgapur

593. Shri S. C. Samanta : Will the Minister of **Labour** be pleased to state :

(a) the name of Employment Exchange serving public and private industrial concerns at Durgapur;

(b) the number of employment seekers sent up by the Exchange during the last two years for employment in public and private industrial concerns, Durgapur; and

(c) how many of them were offered employment in different categories and how many of them were absorbed?

The Deputy Minister of Labour (Shri Abid Ali): (a) Sub-Regional Employment Exchange, Asansol.

(b) 153*, during the period July '54-June, 56.

(c) (i) Offered employment 31*
(ii) Placed . . 28*

Siliguri-Lucknow Trains

594. Shri M. Islamuddin: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the Katihar I Class passengers are feeling inconvenience and disappointment due to non-availability of reservation and refusal of booking on the Siliguri-Lucknow mail train bound for Lucknow; and

*Information is not readily Available separately for the public and private industrial concern.

(b) if so, what steps are being taken by Government to remove this hardship of the travelling public?

The Deputy Minister of Railway and Transport (Shri Alagesan): (a) Demands for I class accommodation on 301 Up and 302 Down—Avadh Tirhut Mail Trains—at Katihar are generally fully met though on some days this has not been possible.

(b) The Amingaon-Kanpur through, I, II and III Class composite bogie at present running on these trains is being replaced by a I and III class composite bogie with effect from 10-8-56, thereby increasing by 4 berths the I class accommodation provided on these trains at present.

Railway Concession Forms

595. Shri M. Islamuddin: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that there is a shortage of Railway concession forms with the Railways and that the travelling public entitled for concession are required to get them typed on the pattern of forms usually hung on the notice board by the Railway; and

(b) if so, whether any steps have been taken to remove this inconvenience on the part of the travelling public entitled for concession?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Railway Administrations do not undertake to supply rail concession certificate forms to the travelling public, and generally the travelling public are required to provide themselves with these certificates in the form prescribed in the Coaching Tariff. On some Railways, however, as a matter of convenience, concession forms for students are printed by the Railway and supplied on demand to the Heads of Education Institutions. But even on such railways no complaint of non-availability of forms is traceable as having been received.

(b) Does not arise.

Wireless Investigating Inspectors and Wireless Licence Inspectors

596. Shri Dhusiya: Will the Minister of **Communications** be pleased to state:

(a) the policy for the selection of the Wireless Investigating Inspectors and Wireless Licence Inspectors; and

(b) how many persons have been selected for both the posts in Uttar Pradesh and Bihar since last five years and how many of them belonged to Scheduled Castes and Tribes?

The Minister of Communications (Shri Jagjivan Ram): (a) Inspectors of Post Offices and Head Clerks to Superintendents of Post Offices and candidates approved for permanent appointment as such, Wireless Licence Inspectors, clerks or telegraphists capable of conducting investigations and prosecutions are eligible for appointment to the posts of Wireless Investigating Inspectors subject to their fulfilling the following conditions:—

(*i*) they must have at least 5 years' service followed by confirmation;

(*ii*) they must not be over 45 years of age;

(*iii*) they must have a good record of service, be of active habits and smart in appearance and able to talk fluently in English;

(*iv*) they must be able to ride a bicycle. Appointments to the posts of Wireless License Inspectors are made from Post Office Clerks who fulfil the above conditions. Selection of officials in both the cases is made by a Board.

(b) The information is given below:—

	Wireless Investigating Inspectors			Wireless License Inspectors		
	Other Communities.	Scheduled Castes.	Scheduled Tribes.	Other Communities.	Scheduled Castes:	Scheduled Tribes.
UTTAR-PARDESH	4	1	—	24		—
BIHAR	1	1	—	7	2	1

Floods in Travancore-Cochin

597. Shri Achuthan: Will the Minister of **Food and Agriculture** be pleased to state:

(a) the total loss to crops due to the recent floods in Trichur District in Travancore-Cochin State;

(b) the relief measures taken and total amount spent;

(c) the steps taken to avoid further damage to remaining crops by subsequent floods this year; and

(d) whether any steps have been taken or are contemplated to raise second crops

in those regions by making available water supply by Installing oil motor pumps at suitable points?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) The total loss of crops extends over an area of 3211 acres.

(b) About 100 bags of rice was distributed free. Free boat transport was provided to evacuees for themselves and their belongings from the affected areas. The district authorities have given Rs. 5,500/- for relief measures in the affected areas. A sum of Rs. 30,000/- has been granted from the Prime Minister's National Relief Fund for relief measures in connection with the recent cyclone and the floods.

(c) and (d). No special schemes have been undertaken so far.

Flag Stations between Araon and Kosma

598. Shri Badshah Gupta: Will the Minister of **Railways** be pleased to state the progress made regarding the opening of a Flag Station between Araon and Kosma stations on Northern Railway?

The Deputy Minister of Railways and Transport (Shri Alagesan): Possession of the land required for the purpose has not yet been given by the Civil authorities, who have, however, prepared compensation statements and are issuing notices to the parties concerned.

The flag station is expected to be provided within 6 to 9 months from the date possession of land is given to the Railway.

Kharagpur Strike

599. Shri Sadhan Gupta: Will the Minister of **Railways** be pleased to state:

(a) how many Railway workers at Kharagpur were arrested for participation in the strike that took place last May;

(b) how many of such workers were put under suspension;

(c) how many of them have been discharged by the Court; and

(d) how many of such discharge workers were allowed to resume duty?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) 251 strikers were arrested for criminal trespass, violence intimidation, rioting etc.

(b) 247.

(c) This information is not available However, 197 workers have been relaesed by the Police

(d) 6.

Family Planning Clinics

600. Shri Hem Raj: Will the Minister of **Health** be pleased to state:

(a) the number of clinics Government propose to open for family planning under the Second Five Year Plan; and

(b) how many of them will be located in the urban areas and how many in the rural?

The Minister of Health (Rajkumari) Amrit Kaur): (a) 2500.

(b) 500 in urban areas 2000 in rural areas.

Sugar Production

601. Shri Bishwa Nath Roy: Will the Minister of **Food and Agriculture** be pleased to state the increase in percentage of sugar production in Uttar Pradesh in 1955-56 season as compared to the preceding year?

The Minister of Food and Agriculture (Shri A. P. Jain): 9·3 per cent. The production of sugar in Uttar Pradesh in 1955-56 season was 9·87 lakh tons as against 9·03 lakh tons in the preceding year.

मध्य भारत में सार्वजनिक टेलीफोन कार्यालय

६०२. **श्री अमर सिंह डामर** : क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) द्वितीय पंचवर्षीय योजना के अन्तर्गत १९५६–५७ और १९५७–५८ में मध्य भारत में कितने सार्वजनिक टेलीफोन कार्यालय खोले जायेंगे ;

(ख) उपर्युक्त वर्षों में कम से कम कितनी जन-संख्या वाले कस्बों में सार्वजनिक टेलीफोन कार्यालय खोले जायेंगे ; और

(ग) क्या हर तहसील के प्रधान केन्द्र में भी सार्वजनिक टेलीफोन कार्यालय खोले जायेंगे ?

संचार मंत्री (श्री जगजीवन राम) : (क) १९५६–५७—दो पहिले ही खोले जा चुके हैं तथा लगभग आठ सार्वजनिक टेलीफ़ोन घर और खोले जाने की सम्भावना है ।

१९५७——५८——उचित समय में इसकी स्थिति मालूम हो जायेगी ।

(ख) इस प्रकार की कोई सीमा निर्धारित नहीं है। शर्त यह है कि जिला व उप-प्रभागीय हेड-क्वार्टर वाले नगरों को छोड़ कर प्रस्तावित कार्यालय के चलाने में किसी प्रकार की हानि न हो ।

(ग) इस विषय पर विचार किया जा रहा है ।

बामन्या स्टेशन

६०३. **श्री अमर सिंह डामर** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) बामन्या स्टेशन पर प्रथम तथा द्वितीय श्रेणी में प्रति दिन औसतन कितने यात्री गाड़ियों पर चढ़ते हैं ;

(ख) बामन्या स्टेशन पर प्रथम तथा द्वितीय श्रेणी से प्रति दिन औसतन कितने यात्री गाड़ियों से उतरते हैं ;

(ग) प्रथम और द्वितीय श्रेणी के यात्रियों द्वारा बामन्या स्टेशन पर शिकायत-पुस्तिका में किस प्रकार की शिकायतें दर्ज की गई हैं; और

(घ) इन शिकायतों पर रेलवे द्वारा कितनी कार्यवाही की गई है ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) तीन ।

(ख) दो ।

(ग) ये शिकायतें रोशनी के प्रबन्ध और ऊंचे दर्जे के यात्रियों के लिये प्रतीक्षालय न होने के सम्बन्ध में थीं ।

(घ) एक गैस बत्ती का इन्तजाम कर दिया गया है । लेकिन, इस स्टेशन पर आने-जाने वाले ऊंचे दर्जे के यात्रियों की संख्या बहुत थोड़ी है और उसे देखते हुये यहां ऊंचे दर्जे का प्रतीक्षालय बनाना उचित नहीं जान पड़ता ।

LOK SABHA

Friday, 10th August, 1956

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair*]

QUESTIONS AND ANSWERS

(*See Part I*)

12.01 P.M.

MOTION FOR ADJOURNMENT

SITUATION IN AHMEDABAD

Mr. Speaker: I have received notice of an adjournment motion from Shri A. K. Gopalan, Shri Kamath, Shri H. N. Mukerjee and Shrimati Renu Chakravartty, saying:

> "This House is of the opinion that the business of the Lok Sabha be adjourned today to consider the dislocation of the communication of railways, postal and telegraphic wires connecting the main cities of Gujarat, especially of Ahmedabad, by the demonstrators of pro-Maha Gujarat State."

Shri Kamath (Hoshangabad): This is not ours.

Mr. Speaker: I am sorry. This motion is by Shri Sivamurthi Swami. The other one has not been typed properly.

Shri Kamath: Kindly read the names of the signatories.

Mr. Speaker: The motion reads:

> "The serious situation arising out of the calling out of troops since yesterday in the city of Ahmedabad where the popular demonstrations of the people for a separate unilingual State of Maha Gujarat are being sought to be crushed by ruthless repression, resulting in the death already of twelve and injuries to many".

Where does he get this from?

Shri Kamath: On the front-page of today's paper, we have seen the news that troops have been called out. You have allowed question on such matters in the past. The House, therefore can take notice of it.

Shri A. K. Gopalan (Cannanore): I also got a telephone message from Ahmedabad explaining these facts.

The Minister of Home Affairs (Pandit G. B. Pant): I have not, in fact, closely read the adjournment motion, but it seems to be a protest against the decision taken by the House yesterday....

Shri Kamath: No, no.

Pandit G. B. Pant: ..By 241 to 40 votes, the House accepted the proposal for setting up a bilingual State for Bombay instead of three separate units which had been proposed in the Bill.

Shri Kamath: The Minister of Defence ought to make a statement.

Pandit G. B. Pant: No armed troops, I understand, were called, except perhaps that one electric power house was guarded by about 20 men belonging to the army. But no one from the army was called to protect the people in the course of these disturbances or to take any part in connection with these disturbances at any time. The army has nothing

[Pandit G. B. Pant]

to do with it. It was perhaps alerted but not called.

Shri Kamath: In the papers it is said that military police have been called in. May I know whether these military police function under the jurisdiction of the Defence Ministry—not the State Government?

Pandit G. B. Pant: I again understand that there was no military police but armed police. But it was police as such.

Shri Kamath: They had said 'military police.' Is it denied or they do not know?

Mr. Speaker: It is only armed police and not military police. There is a difference.

Shri Kamath: It is not a matter for laughter.

Mr. Speaker: It is unfortunate that so many people should have died. But this House cannot take notice of it and allow an adjournment motion to censure the Government or for allowing the demonstrators to take the law into their own hands and protest against a decision of this House. By this demonstration can a bilingual State be converted into a unilingual State? If all protests have failed here by representatives who come from all those areas, we should not allow those people there to take the law into their own hands. If in the face of the majority view of this House, their representations have failed, we should not allow the demonstrators to take the law into their hands and expect this House to come to their rescue. I do not give my consent to this adjournment.

Shri Kamath: On a point of order. Is an adjournment motion always tantamount to a censure motion? That is what I would like to know.

Mr. Speaker: I am not giving my consent to this motion.

The other matter is a different matter. He may refer to the various rulings regarding the implications of that in a general manner.

Shri Sadhan Gupta (Calcutta South East): On a point of order. You have referred to the demonstrators as having taken the law into their own hands. We do not as yet know the full facts regarding what has happened there, whether they took the law into their own hands or not. Sometimes it happens that the police provoke the people by shooting. There is no laughter about it. I have seen a number of cases where the police provoked the people into desparation, and sometimes it is only a few antisocial elements....

Mr. Speaker: I am not giving any opinion regarding who was responsible. Anyhow, the adjournment motion itself says that a number of people went there for the purpose of demonstrating against the unilingual State and then 'they are sought to be crushed.' There can be an opinion that no firing would take place except for the matter of law and order. This is a matter entirely of law and order. It is rather unfortunate that so many people should have died. But this House or this Government is not responsible for the same, and we cannot revoke a decision that this House has taken after consideration.

Shri Kamath: I hope you do not hold the demonstration illegal?

Mr. Speaker: No, not at all.

BUSINESS ADVISORY COMMITTEE

THIRTY-NINTH REPORT

Sardar Hukam Singh (Kapurthala-Bhatinda): I beg to present the Thirty-ninth Report of the Business Advisory Committee.

ESTIMATES COMMITTEE

MINUTES (1955-56) VOL. 5, No. 6

श्री बी० गो० मेहता : अध्यक्ष महोदय मैं एस्टीमेटस समिति ११५५-५६ का कार्यवाही-सारांश, खंड ५ अंक ७ पेश करता हूं।

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

COMPENSATION BY PAKISTAN IN CONNECTION WITH NEKOWAL INCIDENT

Pandit D. N. Tiwary (Saran South): Under Rule 216, I beg to call the attention of the Prime Minister and Minister of External Affairs and Finance to the following matter of urgent public importance and I request that he may make a statement thereon:

> "The communique issued by the Pakistan Government on the 4th August, 1956, contradicting the Indian Prime Minister's statement in Parliament *re*: payment of compensation by Pakistan for the Nekowal incident."

Dr. Rama Rao (Kakinada): May I point out that we had given a Short Notice Question on this? By excluding the Short Notice Question, we are prevented from putting any supplementaries. We sent a Short Notice Question on this.

Shri Kamath (Hoshangabad): So did I.

Mr. Speaker: In certain matters like this, some Short Notice Questions and also motions for calling attention are tabled. Then I allow the hon. Minister to make a comprehensive statement. If still there are some matters which have to be elucidated, I will allow further questions later on, not today. Let them read the statement and then put questions. I will allow them.

Dr. Rama Rao: In such cases, may I submit that along with this motion you may also admit the Short Notice Question so that after the statement, some supplementaries may be allowed.

Mr. Speaker: No.

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru): May I point out that the acceptance or otherwise of a Short Notice Question is the Minister's responsibility and nobody else's? It is for me to accept or not to accept. I very gladly accept them normally, but I am really putting the constitutional position. I have no objection to this matter being brought up again in a Short Notice Question, if the hon. Member wants. But it should be remembered that a Short Notice Question is a special procedure to get over the normal procedure. It is only done by consent of parties.

Ever since the Nekowal incident, there has been a great deal of correspondence between the Prime Minister of Pakistan and me. We had drawn attention to the U. N. Observers' Report and asked for adequate compensation. The Pakistan Government had refused to admit any liability to pay compensation.

Ultimately on the 19th May, 1956, the Prime Minister of Pakistan wrote a long letter to me in regard to the Nekowal incident. It was a long argumentative letter meeting our arguments and seeking to answer them and saying that they had no responsibility for this.

In the course of this letter, the Prime Minister of Pakistan said as follows:

> "While for the reasons given above, I do not consider that my Government is at all liable to pay any compensation in respect of the Nekowal incident, I am personally conscious of the human suffering involved in an incident where a number of lives have been lost. Having regard to this aspect of the matter, we would be prepared to make an *ex-gratia* contribution of Rs. 100,000/- towards the rehabilitation of the

[Shri Jawaharlal Nehru]

relatives of those who lost their lives on the Jammu side of the border as a result of this incident."

Shri Kamath: The date of this?

Shri Jawaharlal Nehru: This was on the 19th May, 1956.

The Prime Minister of Pakistan made it clear that this does not imply admission of any liability on Pakistan's part on account of this incident. He had suggested that a joint statement might be issued by us to make this point clear.

In the course of my reply dated May 30th, after replying to his various arguments, towards the end, I said that I appreciated the offer made by him to make an *ex-gratia* contribution of Rs. 100,000|- towards the rehabilitation of the relatives of those who lost their lives in the Nekowal border incident and I accepted it. As for the joint statement, I said, I was agreeable to make it and I sent him a draft.

I do not think I have received any reply to this letter from him.

I may mention that for some time past I have been suggesting to the Prime Minister of Pakistan that our correspondence regarding the Nekowal incident should be published in full. The Prime Minister of Pakistan pointed out that this might not be desirable as this would necessitate the publication of the U. N. Observers' Report also, and for this permission had to be taken from the United Nations. Our information is that the U. N. Secretary-General has no objection to this publication if the two Prime Ministers agreed. I have again asked the Prime Minister of Pakistan for his permission to publish this correspondence.

Now, hon. Members will see that in the course of answering a supplementary question I had said that—these are important words relating to the matter—'Ultimately the Pakistan Government agreed, as a special case to give'—I forget the amount I had said—'some money for the relief of the families of those who had been killed.' That is what I have stated. It was completely in accordance with that. I did not wish to quote that fully because of this argument going on as to whether the letter should be published or not. But I made it clear that as a special case they agreed to give some money and subsequently I said Rs. 100,000|-. There are the facts.

The Pakistan Government issued a communique which is based on this, that they have not agreed to give any compensation. It may be considered strictly correct that they did not agree to pay compensation. I accept that, but they might have stated in that communique that they agreed to give Rs. 100,000|- for the relief of the people concerned

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RIVER BOARDS BILL

Mr. Speaker: We shall now take up further consideration of the motion that the Bill to provide for the establishment of River Boards for the regulation and development of inter-State rivers and river Valleys, as passed by Rajya Sabha, be taken into consideration. Shri Gulzarilal Nanda will conclude his reply.

The Minister of Planning and Irrigation and Power (Shri Nanda): When the House rose last evening I was engaged in dealing with the point urged repeatedly in the House that while the legislation was intended to carry out a very essential purpose, Government had not armed itself adequately with powers which might enable it to carry out that purpose effectively. It was further contended that even the agencies and the machinery created by the law through which Government proposed to function are, in their turn, not invested with adequate powers. It was said, for example, that the River Boards

have only the function of advising and it was asked, 'if that advice is not accepted, what is to follow?' They thought that in a matter so vital as the development of the rivers and river valleys of this country, the position should not be left so vague as this. And, following this, there was an insistent question as to why the Bill could not be amended in the sense that Government itslef may be in a position to give a binding decision, or, alternatively, the Board should be armed with powers to make a final decision.

Some of the Members further said that not only should Government play a decisive role in settling the schemes which have to be implemented but it should also undertake the function of implementing those schemes in case there is any difficulty or delay in the implementation of these schemes. These raise very important issues, issues of very great consequence and, normally, it would have taken me considerable time to deal with them. An elaborate answer would be required. But, since I have already dealt with this matter at fair length at an earlier stage, I do not think I should take up much of the time of the House on this issue. I shall, however, explain the position very briefly.

The answer is two-fold. First is, as to whether a binding decision follows the processes of law as laid down in this Bill. It may be that Government, has not got that power. But, if hon. Members sean the various provisions of the Bill, they will find, at the end, an authority which can make an authoritative pronouncement and give a binding decision. It is the arbitrator. I would acknowledge that this is a some what lengthy procedure. It may be considered that it may involve some delay. I shall explain it in another way. But the answer to the question whether there is provision for a binding decision or not is very clear, and that is that it is there in the scheme of the Bill. That is, if the advice of the Board is not accepted by one party or the other, then the aggrieved party can approach the arbitrator and the arbitrator, after going through due process, will be in a position to state as to what should be the scheme, who should pay for it, and what should be share of liabilities etc.

But the more important answer lies in a different direction. That relates not only to the decision but also to the connected arrangements regarding the implementation of the scheme. In this Bill, the provision is that if an arbitrator says that a particular scheme has to be carried out, then, it becomes the duty of the parties concerned to carry it out. But, in addition, there is a provision that the Central Government can step in, either at the request of the parties on *suo motu* to give such assistance as may be required for the implementation of the scheme.

The more important part of the answer is this. As I said, let us not look at this legislation in isolation from the other apparatus that exist for the purpose of dealing with the same problem. Let us not forget that, so far as the development of these rivers in the various States is concerned during the last 4 or 5 years, a great deal of work has been done; investigations have been made; schemes have been formulated and implemented and the requisite machinery has been built up. There is the Planning Commission which decides what is the scheme which is going to be admitted into the Plan and which is to be carried out this year or next year in the course of the 5 years.

As hon. Members know, the plan goes through the National Development Council, on which the Chief Ministers of the States are represented, then it comes to the Parliament and becomes a plan in which all the schemes are there.

Pandit Thakur Das Bhargava (Gurgaon): May I know what sort of obligation is there for the States to execute what the Advisory Board

[Pandit Thakur Das Bhargava]

asks them to do? Under clause 15 it is not so. The schemes become approved, but there is no obligation to carry them out.

Shri Nanda: I am explaining this. Since it is an award of the arbitrator, under clause 22(4), "the decision of the arbitrator shall be final and binding on the parties to the dispute and shall be given effect to by them". So far as the words are concerned, they are there.

Pandit Thakur Das Bhargava: So far as an award is concerned, it is binding upon the parties. If the Board approves the scheme, the execution of the scheme is not binding or obligatory upon the States, according to clause 15.

Shri Nanda: Therefore, I was pointing out that this has to be understood in the context explained by me, the context of the plan, the context of a committee which has been already set up to scrutinise the schemes, to vet the schemes, which come from the various States. After technical scrutiny and approval, they go into the plan. The decision of the arbitrator relates also to those schemes. When an approved scheme is there, one party is prepared to carry it out while another is not prepared to carry it out and then the party which is affected adversely goes to the arbitrator and says that a particular State is refusing to carry out a duty which is cast on it by the Board and it approaches the arbitrator to say what the rights and duties of the parties are. So far as a definite or final decision on the point is concerned, it will be there. The question may still be that a State says "We will not or are not going to implement the decision of the arbitrator". I do not think that that situation can arise, but there are provisions in the Constitution to cope with such a kind of a situation. The real thing is that we do not anticipate that that much work will fall on these Boards, because, as I said, scores of schemes every year are being taken up and dealt with on the lines visualised in the Bill. Various investigations are carried out and disputes also arise. There are differing points of view and differing claims and they are being resolved now through the agency of the Central Water and Power Commission and through the Planning Commission. Therefore, all these things are being done as it is.

The need for this measure is to obviate any chance or any possibility of a dispute on the merits of the schemes themselves. Whatever the Central Water and Power Commission or the Central Government are doing, we thought it would be better to introduce between the Government and the State a machinery which might have some kind of an authority arising in the first instance out of its technical competence—the Board has got technical experts and specialists of all kinds—and secondly through an impartial person who will have nothing to do with one State or another or the Central Government. Therefore that authority will be in a position to make a declaration which will not only have a binding effect but which will also have a moral authority. There is the moral authority of the Central Government today which makes it possible for all these things to be dealt with now, and this is a kind of a reserve power. I believe that the machinery that is being created or sought to be created and the provisions that are inserted in this Bill would go far enough to deal with any situation that may arise; it is not intended to deal with some situations which we do not anticipate to arise. There is a further fact that it is possible for us to take all those powers. I do not think it is possible for us, as has been suggested, to execute the schemes and then to ask the States to make their payment. We have not got that power. Development of irrigation and power is a function vested in the States themselves. Suppose a State refuses to carry out a scheme, what is

to be done? We cannot go and carry it out ourselves and then compel the State to pay. It will be very easy for a State not to carry out a scheme and for us to go and implement it ourselves and be placed in an invidious position. The fact that there is an arbitrator improves the position for the administration: also there is greater provision made for respecting the susceptibilities of the States in this matter. They have the confidence that there is a machinery which will deal with this matter in an impartial manner. This is a major question arising out of the discussion of this Bill. I have tried to explain that the best that is possible now is being done in the matter. Some of the amendments which hon. Members have moved are linked up with this issue and that is the answer to all those amendments also. It is possible that they have a different conception and a different scheme of a Bill, but the concept and scheme of this Bill are different from theirs. Their view can be adopted, but we have not chosen to do so because we believe that in the circumstances of the administration of this country, this will lead to better results. Although it may mean not one step but two steps or three steps, those three steps will possibly lead to better results ultimately then forcing something on the States irrespective of what they may have to say at one stage or another.

Some points have been raised about the way these Boards are constituted and the way they function—why not have a single Board? Why have so many Boards? It would make the functioning of the Board impossible because at one time there may be two or three places where a question may arise, where the questions may be of different degrees of importance, and it is better to have a flexible arrangement. There may be some questions about floods, there may be questions about river pollution or soil conservation. Questions may be of different types or character. Therefore, the composition of the Board also will have to be adapted to the requirements of the situation. A single Board idea is not very suitable for the purpose we have in view.

Regarding the composition of the Board it was stated that we have here only specialists and experts; but who is going to sit in judgment upon those experts? In the wording of the clause relating to the constitution of the Board, it will be found that these experts are not only technical experts having special knowledge and experience in irrigation, electrical engineering, flood control, navigation, water conservation, soil conservation, but also administration or finance. Therefore, a specialist of a different order also comes in. Administration is a very wide general concept; it is not such a narrow composition as is feared by hon. Members.

It was further suggested: why not have some representatives of the States on these Boards? We are not precluded from doing that. In fact, in the original Bill, in the Statement of Objects and Reasons, it had been specifically mentioned that the intention is to get people—both experts and others connected with administration or finance—as far as possible from the States. That will be very useful because the matters which will be dealt with by the Boards will concern the various States. Therefore, that will be our effort and we will do it as far as it is necessary and practicable.

Some minor issues were raised as to whether there was any scope for arbitration at all. Shri Tek Chand raised them. He said: "Here is an advice given to both parties. They did not accept it. Does it become a dispute?" It is a narrow interpretation. We have specifically stated that after the advice had been given, if it was not accepted, then, the non-acceptance of the advice created a certain situation. In that situation, one party feels that its due share is not being given or the other party is not discharging its

[Shri Nanda]

responsibility. It has then to come up before the arbitrator. I do not think there is any valid objection regarding the functioning of the arbitration machinery.

It was stated that we were disposed to have too many advisory committees. The advisory committees which are intended under this Bill are of a very different nature. Assessors will not suffice because special questions may arise. On one technical point, the advice of a certain person may be required; one or two persons may have specialised in that particular subject. One or two committees may be needed during the proceedings in connection with a matter before the board. There may be one committee; there may, at times, be more than one committee.

There are one or two smaller points. It has been said that we have no defined rivers. I answered the question on the spot that the tributaries of a river are also included in the term 'river'. That has been specifically mentioned in the relevant clause itself. If a river is not a perennial river, will that also come under this clause? I do not think it is necessary to define all that. If there is no water in a river for a day or two, it does not cease to be a river. That is clear. The hon. Member may take it from us that there is no difficulty with regard to the interpretation.

Who is going to audit? It was asked. There is not going to be much of an audit or much of an expenditure here. Provision for audit has been made and I do not think there is anything more to be done about it. We were asked to place the rules on the Table of the House as early as possible. We shall do that. But, I do not agree that it is possible to do it within thirty days because the time is not sufficient for consulting all the States; it may take longer. But, we shall try to place the rules on the Table of the House as early as possible after we have consulted the States in this connection.

I have covered the whole ground. There are some amendments. I am not moving the amendment in my name; it is a verbal matter which can be done by the hon. Speaker himself. There are some other amendments and I have already given my reasons for not acepting them. I entirely agree with the intention of Pandit Bhargava in tabling the amendments.

Shri D. C. Sharma (Hoshiarpur): Then, why not accept them?

Shri Nanda: The object has been achieved in a different way. I have explained it fully. What the hon. Member wants is already being done in a different way. Therefore, I do not accept that amendment.

Then, there is the amendment of Shri R. D. Misra. That is about the salaries, allowances and conditions of service of arbitrators as well as of assessors. We have made provisions regarding the members of the boards, etc. But with regard to the arbitrators, we did not bring them within the purview of the rules made by us. These appointments are to be made by the Chief Justice and, maybe, the conditions attached to them are also being laid down by him. At any rate, these will differ in different circumstances and it is not possible to make an infixible arrangement.

There are one or two other verbal amendments but I do not think they are necessary at all.

There is another amendment by Shri R. D. Misra.

Mr. Speaker: He need not go into the amendments in detail, now.

Shri Nanda: I wanted to point out what the intention was. The clause to which that amendment refers does not admit of this amendment. This does not deal with conflicts as such. This Bill deals with methods of co-ordination, which will indirectly resolve the disputes and conflicts. So, it is not necessary.

Mr. Speaker: The question is:

"That the Bill to provide for the establishment of River Boards for the regulation and development of inter-State rivers and river valleys as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

Mr. Speaker: Further clause-by-clause consideration will be held over.

Shri L. N. Mishra (Darbhanga cum Bhagalpur): There are not many clauses nor many amendments. Would it not be possible to finish this Bill in a few minutes time?

Mr. Speaker: If it is only a question of five or ten minutes it is all right. There are certain amendments.

Shri Tekur Subrahmanyam is not in his seat and so not moving. Shri R. D. Misra.

Shri R. D. Misra (Bulandshahr Distt.): I am not moving.

Pandit Thakur Das Bhargava: I am moving my amendments.

Shri Gadgil (Poona Central): Those who have given notice of amendments were under the impression that they would be needed at a particular stage and propriety requires that whatever has been put down in the Order Paper should be scrupulously followed.

Pandit Thakur Das Bhargava: The persons may be under the impression that what is put in in the agenda will be followed and so they may not turn up here.

Mr. Speaker: In view of this objection, we will take up the third reading of the States Reorganisation Bill. It is now 12-30. We will go till 3-30.

STATES REORGANISATION BILL.—*concld.*

Shri A. K. Gopalan (Cannanore): I suggest that four hours may be allotted. In the second reading so many big changes had been brought forward. So, in the third reading we must be allowed to say some thing.

Mr. Speaker: I agreed to allot three hours; four hours were asked for. We will finish the discussion at about 3-30. We may take four or five minutes more.

Shri Kamath (Hoshangabad): May I request that those hon. Members who did not get a chance to speak at the earlier stages of the Bill or at the time of the discussion of the SRC Report may be given a chance now?

Mr. Speaker: Hon. Members must also bear in mind that those hon. Members who did not take part or take any interest in this matter need not be called. Several hon. Members applied their minds to all these various stages of the Bill. Nobody prevents hon. Members coming earlier but hon. Members come only at the time of the general discussion or the third-reading. In between, there is a lot to be done and it falls to the lot of a few hon. Members to worry themselves to look into all these clauses. Therefore, I must not also ignore them. I only want to say that I cannot ignore the hon. Members who have shaped this Bill. Should we ignore those who took a lot of interest and bring in those who have not taken any part in shaping this Bill? If they have not taken any interest they won't take any interest at all.

Now, the hon. Minister has got some formal amendments. He may move them.

The Minister of Home Affairs (Pandit G. B. Pant): Sir, I beg to move: **Clause 4.**—(*Transfer of territory from Travancore-Cochin to Madras*)

Page 4—

for lines 1 and 2 *substitute*:

"(b) shall form a separate district to be known as Kanyakumari District in the State of Madras."

Clause 31.—(*Formation of a new Madhya Pradesh State*)

Pandit G. B. Pant: I beg to move:

Page 6, line 20—

for "1" *substitute* "8"

Clause 102—(*Provision as to certain State Financial Corporations*)

Pandit G. B. Pant: I beg to move:

Page 44, line 23—

for "Maharashtra" *substitute* "Bombay"

Shri Venkataraman (Tanjore): Sir, we do not hear anything. There seems to be something wrong with the loudspeaker.

Pandit G. B. Pant: I do not think you will lose much if you do not hear.

Mr. Speaker: It is also necessary to re-number all the clauses in view of clauses 8 and 9. That will be done by me. I will now put these amendments to the vote of the House. I will first put 607.

Shri Thanu Pillai (Tirunelveli): May I point out, Sir, that with the alterations that have now been made, Shencotah taluk is not contiguous to Kanyakumari? That is also apart from Travancore-Cochin. How is that to be fitted in?

Pandit G. B. Pant: Shencotah may be left out and the other four taluks may form Kanyakumari.

Mr. Speaker: Let me then put the other two amendments.

The question is:

Page 6, line 20—

for "9" *substitute* "8"

The motion was adopted.

Mr. Speaker: The question is:

Page 44, line 23—

for "Maharashtra" *substitute* "Bombay"

The motion was adopted.

Shri Gadgil (Poona Central): Mr. Speaker, the third reading tradition is to exchange bouquets and not brickbats. This occasion calls to my mind what Mr. Churchil, as he then was, said when the Government of India Bill of 1935 was moved for third reading. Mr. Churchill spoke on that Bill on 400 occasions and his speeches occupy hundreds of pages of *Hansard*. But when he rose to speak on the last occasion and at the last stage of the Bill, he said that the Bill is now to become an Act, it is the law of the land and the Parliament in its collective wisdom in the current context had given its verdict and it is the duty of every citizen to accept it as the law of the land. In that spirit I accept it and will continue to accept it till it is amended, altered or abolished by constitutional and democratic methods as a result of dynamic forces of progress and politics.

In a democracy it is my considered view that there is no place for mass civil disobedience and for the individual it is permissible on the ground of conscience. In democracy it is open to any citizen, or group, or organised party to convert the electorate, gain its franchise and dislodge the Government of the day.

The verdict of this hon. House is not entirely to my liking, but as our great Santh Ramdass, Guru of Shri Shivaji, has said that it is not for man to command success universally and uniformally, but it is his privilege to

work continuously for the success of his ideal—

"सदा सर्वदा सर्जे । मग अवघेच हाती राजे,
काहीं सर्जे काहीं न सर्जे । ऐसे आहे ।"

in that spirit I have to bow to the verdict of this hon. House.

The utmost need today is to restore normalcy and to create an atmosphere of goodwill and amity. This is the duty of every responsible citizen. The least I owe to myself, to the great party which I serve and, perhaps, may serve in future and this great country, is to help in this task the Government, whatever may be its colour or character.

Substantially, the present proposal was discussed between me and other Gujerathi leaders in 1950 when the great Sardar was alive. But I could not agree then as it was contrary to the current trend and tendency of politics in this respect. At the same time I promised to discuss the same with my colleagues in Maharashtra Congress. I had some discussion but, unfortunately, the Sardar died and matters were not pursued.

When the States Reorganisation Commission was appointed and when we met to consider what sort of memorandum we should submit, I suggested to my colleagues in the Maharashtra Congress that a joint State of Gujerathi and Marathi-speaking people as an intermediate arrangement may be tried by way of an experiment and if we succeeded it would be all to our glory. But my colleagues did not want an intermediate arrangement and, therefore, we decided to ask for our ultimate ideal, namely, Samyukta Maharashtra with Bombay.

On the 18th of October last, when Shri Dhebar invited me to have some talk with him, the proposal that now has emerged was put by me before him except that it was to be for a period of 5 years. This period was a safeguard more for the Gujerathi minority. This proposal was put before the High Command through Shri Shankar Rao Deo. This was moved by me in the Maharashtra Pradesh Congress Committee meeting on the 21st October. But it is a matter of deep regret that it was rejected, even ridiculed by other parties concerned. Now it has been revised and has now been accepted by this hon. House. My feelings are like that of a rejected suitor who is approached again, not of elation but of caution.

This has been accepted by the parties concerned. Had this been accepted by the parties concerned then in October, the history of this country would have been differently written and the tragedies which took place would have been avoided. Politics, however, is a matter of trial and error but let us have as little as possible of either; at any rate, let us not commit the same mistake twice.

The present solution was not a welcome to me, because I thought and think—that the psychological background necessary for a successful working is not there today and, therefore, I said on the 28th July that a bilingual State in the present context would create an explosive situation. I do not say how far I am correct, in view of what is happening. Now that the Parliament has approved of this all efforts should be made to make this experiment a great success and I am sure Maharashtrians, whatever may be their political affiliations, will work without mental reservations.

For me it is a matter of conscience, for I feel the injustice in this arrangement is still there though greatly reduced and, therefore, I voted against the proposal. Administration is not a mere mechanism for arrangement of things and territories. It is a great instrument for promotion of desirable relations between men and men, groups and groups and regulate their relation with respect to production, distribution and consumption of commodities and services. Consent, therefore, of the people is its moral justification and the active cooperation of theirs is its driving force. The present proposal is not complete in itself. Some outstanding problems are still there such as the border

[Shri Gadgil]

disputes. I hope that with Pantji who is in charge of them, there is every hope of having a very satisfactory solution acceptable to all. He has given his word and with me it is a bond. I am, therefore, advising the parties concerned to review the position and to restore goodwill and amity wherever it is lacking at present.

In politics, there is no finality. It is the process which can only produce current solutions and some by-product by way of jobs. If the whole problem is solved finally, then politicians will have no occupation, and their occupation will have gone. Verily it is said in *Mahabharat*:

'अर्थातु शक्यते भोक्तुम कृतकार्यो वमन्यते
तस्मात् सर्वाणि कार्यानि सो विशेषणि कारयैत ।

So, the work never finishes. It is like the Arabian tale without an end. But I do hope that to the extent of what is permanent and enduring in politics, this arrangement should be there unless somebody is dissatisfied with it. All I can say is that I shall watch this experiment with sympathy and with an open mind and shall extend such help and service as I am capable of. With the greatest goodwill and understanding, it is possible to build up something which will be to the glory of us all. I do hope that in that spirit this will be accepted by the people of Maharashtra and by the people of Gujarat. The Maharashtrians' success will be measured by the measure of confidence and trust they are able to secure from the people in Gujarat region. I have no doubt that they will succeed.

Lastly, I may add:

शुभास्तें सन्तू पथान:

Mr. Speaker: Fifteen minutes will be allowed for each hon. Member.

Shri H. N. Mukerjee (Calcutta North-East): The House knows that I have not the suavity or the discretion of my hon. friend Shri Gadgil, and even more, I do not labour under his party political obligation and that is why I would speak rather differently. I wish, at this late stage of the proceedings, to raise my voice along with that of the people—the voice of disappointment—and, at the same time, of indignation at the mess which the Government has made of States reorganisation.

This Bill had roused great expectations, for, the appointment of the States Reorganisation Commission had been itself the sequel to demonstrations all over the country, which showed what the people really wanted. But over a large and important area, those expectations have been dashed. Behind the mask of patriotism which the Home Minister so impressively wears, I see every time the Treasury Benches indicate their mind, I see a fear of the people, sheer, insensate fear of the democratic aspirations of the people. It is this fear which vitiates the Bill, which distorts the Bill in essential particulars, and in the setting up, above all, of the polyglot State of Bombay, in the face of every canon of democracy and politcal propriety.

We have been witnesses in this House to what I consider a dangerous spectacle, the streamrollering of genuine public opinion in Maharashtra and in Gujarat, by an unprecedented campaign of signature collecting. Members of Parliament, most of them far away from the scene and insensitive to the agony of the people affected and to their deep-rooted aspirations, traded so to speak, in the name of national unity and furnished Government with an excuse, an excuse for imposing a solution—if it is at all a solution—namely, the bilingual State of Bombay. If the Government was not so bloated with a sense of its own authority, it would have known that this was no solution at all; and so, Government is trying to thrust down the throats of Gujaratis and Maharashtrians, a State set-up which is very like the one which they had in the British times and which they

wanted deeply and fundamentally to change, because now we are supposed to be the architects of our own destiny.

It has been said in this House, and I repeat it, that this is an act of political criminality and it has been motivated by no other desire than of appeasing the big money interests of Bombay. This expression, perhaps since my hon. friend the former Finance Minister used it, has become respectable, and we have said it over and over again, but it did not seem to hit the head-lines. Incidentally, I must say that I am unhappy over the former Finance Minister's recent political perambulations, because, in spite of his having made one or two good statements, he has acted in a manner which has produced a sort of Dead Sea fruit and he has done no good either to Maharashtra or to the rest of the country.

What Maharashtra wanted has been said over and over again in this House and in the country, and it does not need retelling. What Gujarat really wants, however, was long sought astutely, and with discretion, to be kept away from the House and from the country. But that discretion has been thrown to the winds by the valour and the patriotism of the people of Gujarat and that is why we see that they are demonstrating today. Whether we like it or not, they are demonstrating in defiance of the bullets which the Home Minister has in abundance. They are demonstrating for a Gujarati State of their own. That State is warranted by history, by common sense, by social, economic, political, cultural and by other considerations. In Ahmedabad, the town of Gandhiji, the town of my friend the Labour Minister, we are told, the writ of the Congress runs as nowhere else in the country. Gujarat was supposed to be a willing party and perhaps even an enthusiastic party to this bilingual formula which was canvassed by my friends like Shri C. C. Shah, but now, like murder, the truth is out. It is not only that students who are emotionally disturbed and are carrying on the demonstrations in the streets, have got out of hand, but we hear of the Ahmedabad Bar Association and even the Millowners' Association and the entire general public coming out against the bilingual scheme. The blood of our citizens has been spilt on the streets of Ahmedabad. Curfew darkens towns like Ahmedabad and Baroda and other places. Let us pay homage to those who could not meekly stomach injustice to Gujarat and let us remember, as Members of Parliament that, to our shame, we could not repair that injustice.

I know it will be said, and it has been said in the lobbies of this House, that a handful of michief makers—generally the expression they are very much fond of is "anti-social elements"—are doing all the damage. They said the same thing in regard to Bombay. But when challenged by Maharashtra which felt that its self-respect was being outraged by that suggestion, Government did not have the guts or the elementary political decency to have an official enquiry into that matter.

There is no hyprocrisy more exasperating than the attitude of mind which condemns the idea of linguistic provinces as being contrary to that of national unity. How the Prime Minister who has made a serious study of history has reached this puerile conclusion is one of the minor mysteries of our time. To the citizens of the Union of States which India is, a most valuable privilege is to live an autonomous life in his own lesser unit, with an intrinsic life and purpose of its own. That is a fundamental right which nothing can take away, and that right, that privilege, has been denied, with a vulgar fanfare of patriotism, to the people of Maharashtra and to the people of Gujarat. And if those people raise their hands in protest, of course, they are given a dose of that "aggressive non-

(Shri H. N. Mukerjee)

violence" to which reference was made by Shri Deshmukh, shooting to kill and all that being part of the game.

1 P.M.

This is not the way to build national unity; it is to provoke national chaos. If the 200 and odd signatories who offered a spurious excuse to Government for a bilingual Bombay could have their way, they could, with the jubilant blessings of the Home Minister, go forward and have a merger of West Bengal and Bihar, a union of Karnataka and Kerala and so on and so forth. But, they have not succeeded for the present in doing so, because the people have told them that there is a limit to their patience. But I fear that this Government and its camp followers learn nothing and forget nothing. Maybe they have schemes up their sleeve of which the people are at the moment unaware. I have very great respect for my friend, the Home Minister. But since he has appeared on the scene, in this House, I must confess I cannot read his mind "देवा: न जानन्ति कुतो मनुष्य:" That seems to be applicable to the way in which his mind works. All the other weakness of this Bill stem from this basic disregard for the people, the refusal, for instance, to have a boundary commission properly constituted—without such a provision, there will be fostering sores in our body politic, which it is our bounden duty to remove. But, Government has other plans and does not care.

There is again the case of Orissa. The case of Orissa was brought up over and over again, but the Home Minister said, "It is a big problem which cannot be tackled by a boundary commission". If such a big thing as polygeot Bombay could be pushed through in this Parliament, why was not the case of Orissa not taken into consideration? Then, for tribal peoples also, this Bill is a cruel disappointment. There is not a syllable in it which suggests that their problems even exist, though some of us have been shouting ourselves hoarse about radical changes in the Sixth Schedule of the Constitution and for special safeguards for their social, economic and cultural progress. It is a pity that one of the principal spokesmen of the tribal peoples in this House—Shri Jaipal Singh—I am sorry not to see him in this House at the present moment—chose to leave his people in the lurch and with the air of an elder statesman went about collecting signatures for one thing or the other. We are always delighted by the inanities which his charming accent sugar-coats, but we are not prepared to take lessons in high politics from him. I say very seriously, the question of the tribal people has been ignored and we have not heard one syllable from Government in regard to this matter and this at a time when the Naga agitation is going on an agitation which we have to tackle in an understanding fashion.

Perhaps I have said enough, and over and over again; the idea of linguistic States as the rock-like foundation of national unity has been emphasised in this House and in the country. When this Bill was in preparation, I knew that I would get a chance—you would be good enough to give me a chance—to speak. I knew also that you would have liked me to say:

संगच्छध्वं, संवदध्वं संवो मनांसि जानताम

"Let us walk together; let us speak together; let us attune our minds together."

But the Home Minister has done a job of work which disables me from saying that in the context of this particular Bill. I wish we could say:

संगच्छध्वं, संवदध्वं संवो मनांसि जानताम

But we cannot do so on this occasion. Government has behaved in an arrogant manner and in a short-sighted manner. Therefore, I accuse the Government of deliberately refusing a permanent and national solution of a national question. I accuse the Government of provoking disunity where unity prevailed. I

accuse the Government of posing in this House and in this country controversies where controversies would have been eliminated by the joint co-operative endeavour of us all. Government has not done it and I cannot even say in regard to this Bill:

एको ही दोषो, गुणसन्निपातें निमज्जतीन्दो: किरणेष्विवाङ्क:

It is not like that; it is not that a very minor error has crept in. It is not that only a very few bad things are here, but the generality of the Bill is very good. On the contrary, something has happened which has vitiated the entire atmosphere of the Bill. This Bill bristles with instances of injustice and inequality. For the small mercies vouchsafed certain areas in the country, we cannot oppose it outright. I repeat, we cannot oppose it outright, but we are acutely unhappy, I repeat, we are acutely unhappy, that Government has made such a very sorry mess of the problem of States reorganisation.

Shri N. C. Chatterjee (Hooghly): Both my friends, Mr. Gadgil, and my comrade, Mr. Mukerjee, have quoted the scriptures. When we are in the third reading of this Bill, we must remember what is happening in India. Ahmedabad is on fire; troops have been called out. The Congress House has been attacked. There is a good deal of violence and disturbance in this great city. These are things which we ought to remember.

Today I am afraid the fundamental objective of States' reorganisation is being clouded. The paramount objective is to strengthen India's unity, to strengthen India's integrity and to further the cohesion of our great nation. I am sorry that from that perspective, we have not achieved our fundamental objective and we have not been able to transcend all parochial and regional passions for the purpose of building up a new and glorious India, which we want to build up. I have been a sponsor of linguistic States, but I have not been a linguistic fanatic. I say that in regard to a federal republic like India, what the Commission has said is quite correct:

> "The constituent States in a federal republic must each possess a minimum degree of homogeneity to ensure the emotional response which is necessary for the working of democratic institutions."

As Chairman of the Bal Gangadhar Tilak's Centenary Celebrations Committee, I witnessed the wonderful rally. But, I was distressed to find that Maharashtra was unhappy, that the people of Maharashtra which produced Ranade, Gokhale and Tilak were thoroughly unhappy when this bilingual State business came. I sent for Tilak's grandson; I had discussions with them and they were still unhappy. My view is this. If you honestly feel that a bilingual State is very desirable for India's good, for Maharashtra's good and for the welfare of Gujarat, you should have consulted the people. You should have given them a chance to express their views. When I was taking objection on the constitutional ground, I was not merely making a legalistic, narrow, technical and jurisdic approach. I was putting my case on a broader basis. The Constitution-makers of India were rooted to democracy. They thought that nothing should be done without consulting the people or the people's representatives. We failed to do it and hence this emotional upsurge. There is so much of violence and hooliganism. I happened to visit some of the districts in Punjab and I have found that disharmony and discord are still there. Thank God, with the co-operation of the Home Minister and Maulana Azad, we temporarily passed over a very acute stage. But still there is heat and lot of tension and discord. In trying to solve the problems of the reorganisation of States, I am afraid we have deviated from maxims, principles and ideals. What is the great ideal which Gandhiji had placed before the

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country? What is the great ideal by which the Congress was strengthened? In the year 1920, Gandhiji wanted to make the Congress an instrument for fighting British imperialism and he said: "If you want to make the Congress a dynamic organisation for the purpose of achieving independence, you must fashion your own constitution and the future constitution of India on linguistic principle."

Because by that principle you will regulate the emotional response for the purpose of having unity among the divergent linguistic and cultural units which make up India. After all, we want to build up the strength of the Indian Union. But what is the strength of the Indian Union? The strength of the Indian Union is the sum total of the strength of each of its own constituent units which make up the Indian Republic. Therefore, we have to build up the constituent units on some principle. I have begun by saying I am not a fanatic. I do not say that there shall be no deviation from linguistic principles. Certainly, considerations of safety and security are vital. Certainly that should predominate over every other view. If for the purpose of defending our frontiers, if for the purpose of making the India-China border strong or Bengal-Pakistan border strong we have got to do something, then even these linguistic principles will have to be sacrificed.

I am afraid the Government was not consistent. This Parliament has not been consistent. Certainly, Pandit Hridaya Nath Kunzru was not a communalist. Certainly, Sardar Panikker was not a communalist. They wanted to build up a bigger Punjab, a stronger Punjab because they thought India's defence demanded it, India's security demanded it. They pointed out that if Himachal Pradesh was a small Indian unit it cannot possibly withstand the infiltration which is going on on the India-China border. Therefore, they said there should be bigger integration and not merely Punjab and PEPSU, but Punjab, PEPSU and Himachal Pradesh should form one State. You have turned it down. Why? You have no principle. You are standing on no principle. You are not standing on any intelligible maxim or ideal which is acceptable to the people. You are trying to appease some sections, communalists or others. You are trying to come to some kind of agreement for party purposes. But that kind of thing won't work. Why was it that in the case of Punjab the recommendation of the Reorganisation Commission was not accepted? These men visited the areas, talked to the people and came to the conclusion that although technically the Centre is in charge of the defence of India, still they cannot possibly look after the defence of the frontiers unless the provincial unit is also made resilient, also made strong and also made stable. They pointed out that it cannot be done if the present Himachal Pradesh, a small unit, is kept like that. Therefore, they demanded and recommended the strong integration of all the States, and the merger of all the States, as that would lead to greater cohesion, as that would obliterate the artificial distinctions between the plains and the hills. That will also neutralise the forces of communalism, which are now operating in that area with official connivance. Unfortunately, that was not accepted.

Sir, I was blaming my Gujarati friends that although Gujaratis have only one-third of the population in bilingual Bombay they did not ask for any safeguards, any constitutional provision, and not even a regional committee. I was amazed that the Gujarati M.Ps. did not ask for it. Mr. Tulsidas Kilachand said: we do not want it. The Congress M.Ps. said that they do not want it. I am afraid, these Congress M. Ps., with

great respect to them, were out of touch with the masses, and they did reflect the will of the people. I am sorry it had been so. Today the biggest Congress paper in Delhi has stated that the P. S. P. party misbehaved and the P. S. P. organised some meeting and thereafter there took place the attack on the Congress House. I do not believe that the P. S. P. leadership is so foolish and so fool-hardy that they would ask anybody to attack the Congress House. I want the Congress House to be attacked, but not in that way. The Congress House should collapse, but by democratic and constitutional means; not by these means. There was a procession, a big rally of over 100 thousand people at Shanwarwara in Poona which Mr. Gopalan, Mr. Kamath and myself had the privilege of addressing. It was a very big meeting. I told them that their cause was not furthered in any way by the unfortunate happenings which took place in Bombay. Violence will never pay. Hooliganism will never pay. I would not repeat the language like "misbehaviour" or anything and we do not want to go into the unfortunate incidents which took place or try to apportion blame between Mr. Morarji's Government and the people of the area. I will not say that anybody deliberately misbehaved. But what is happening today is really breaking our hearts. I think that if the Gujarati Members of Parliament really wanted to reflect the mind of Gujarat, they ought to have consulted their people and there would have been some accord between them and their people. I am disappointed to find that it was not so. I am disappointed to find that the State, with which is associated the great name of Mahatma Gandhi, has not been able to live up to its high traditions. The fundamental unity of India must be placed on sound footing and the one patent fact of our civilization and the cardinal factor of our social organisation is that India is built on diverse and distinct linguistic and cultural units and you have got to give them free and fair play.

I do not believe in political somersault. That is why I was trying to deplore the sudden somersault in favour of bilingual Bombay. I am happy to find that Kaka Sahib Gadgil has somewhat reconciled himself to it and has pledged his word of co-operation. That is hopeful. That is helpful. I do not know how far he represents the mind of young Maharashtra, the rising generation of Maharashtra. I have my own doubts, grave doubts.

So far as Gujarat Members of Parliament are concerned, I am disappointed to find that it was a thing which was not settled or planned or anything of that sort. At one time, just after the ugly incidents took place in Bombay, there was a distinct attempt, a distinct desire, on the part of both Gujaratis and the Maharashtrians to bridge the clevage and somehow to come to some kind of understanding. But that was not done. The proposal was not acceptable and really the men of Gujarat rebelled against it. If the better mind of Gujarat does not accept it, there is no reason for the Government to tolerate the plunging of the State into this kind of hooliganism or anti-social activities which could easily be avoided. I do protest against this sudden somersault, this sudden brain-wave on the part of some politicians who are thinking of some speedy remedy, which is just like the propylatic—just like that of merger of Bengal and Bihar,—the brain-wave on the part of the Chief Minister of one State and that of the contiguous State. Unfortunately, it did not work. There was no preparation for it. There was no consultation with the people. Don't think that it is only a Congress affair. The great mistake that you are making is that you are substituting the Congress for the country. Dr. Roy, unfortunately did not consult anybody. When the States reorganisation problem was being discussed here with the Government and the Prime Minister, we were in close touch with the Chief Minister. But when the Chief Minister thought of this question of merger or union, nobody was consult-

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ed. Nobody was asked anything. This kind of political somersault really mystifies people and creates a good deal of misunderstanding. That is why I was very much doubtful of the utility of this kind of bilingual formula being ushered at this stage. After the Prime Minister's categorical assurance in the Poona meeting and elsewhere that Bombay belonged to Maharashtra and is geographically a part of Maharashtra, there was absolutely no reason why Maharashtra should not be given to Bombay. But what I am pointing out is that we are deeply distressed that things are done in this way. For four decades, since the time Mahatma Gandhi assumed the leadership of the Congress right up to the last election they were saying that polyglot areas are not workable. That was Pandit Motilal Nehru's report that polyglot areas are not conducive to the working of the democratic system of Government and they are not conducive to social justice. That is why for the purpose of building up some kind of system which would lead to social justice, which would lead to the satisfaction of the real creative urge of the people, which would enable the gulf between the classes and the masses to be bridged if not eliminated, we thought of linguistic States. Certain essential safeguards, economic, administrative and for defence purposes are paramount, and can never be withheld. But you have sacrificed that defence argument put forward by the States Reorganisation Commission, and you have put forward no tangible, no logical, no cogent argument as to why you refuse to build up a greater Punjab in order to build up a powerful frontier State, when our neighbouring State is being armed by imperialists and they are getting millions and millions of dollars for the purpose of building up their armed strength—against whom? Against what? Against India, against Kashmir. We are not children. We know what is happening. A persistent campaign is being made against our Prime Minister in the foreign press, and that is being done by Pakistan. What for?—for creating an artificial animus. When they attack Nehru on the Kashmir issue, they attack India. We all stand united on that issue. Therefore, we ought to remember that in the interests of India's safety, in the interests of India's security, in the interests of India's integrity, in the interests of protecting India's frontiers against possible aggression from an unfriendly neighbour which is unfortunately being egged on by foreign powers, thoroughly equipped and made resourceful, we ought to have accepted the recommendation of the States Reorganisation Commission and we ought not to have weakened that State of Punjab and not kept up a ridiculous State, a small State under a Judicial Commissioner, under a Lt.-Governor like this which is not capable of defending the frontier. The States Reorganisation Commission has pointedly stated: what can the Centre do? The Centre must function through the State unit. Therefore, the State unit must be made strong. Otherwise, however good the defence arrangements may be, according to the constitutional set-up it will not be effective. That is the main point which I am making.

I am not going so far as to say that the Bill is deliberately brought forward for the purpose of destroying democracy in India, but I am saying the way you have proceeded, the haphazard mosaic which you are setting up, is not conducive to the pattern which you have been contemplating all this time. For five decades you have preached that the administrative units are the result of British imperialistic design or the haphazard growth of British imperialism and therefore when the time comes, when India becomes independent and you get power and get into office, you will proceed rationally according to principle. You have not proceeded rationally according to principle. That is a matter of regret. You have not proceeded in a democratic manner and when you have deviated, you have not deviated after consultation with the wishes of the people. The

sovereignty of the people is really a mere dogma, a mere maxim which you have preached but which you have not consistently followed it in working out this difficult and colossal task of redrawing the political map of India. That is my charge, and that is my regret.

I hope that with regard to the Punjab and also with regard to Bombay and Gujarat some further steps will be taken which will assuage the feelings, which will bring the communities together, which will dispel misunderstandings. There is still a lot of goodwill for the Prime Minister and if he takes this up and gets out of the party rut, he can do something. Do not send for Deogirkar or Shankar Rao Deo and even Kakasaheb Gadgil. Do not think they represent everybody in that sector of India. The fact is they do not really represent the people of Maharashtra. You must send for others too. You know thousands and thousands of people have gone to jail and thousands of people are still willing to undergo sacrifices. It is not for pleasure that they do that against a national government or against the Parliament democratically elected, but they feel that they are frustrated. This sense of frustration can be and ought to be removed and that can be removed if the Prime Minister as the head of the Government takes courage in both hands and sends for people representing different sections, different interests and takes them into confidence and tries to hammer out something acceptable to all concerned for the good of the region, and for the good of India. Regional consciousness should not be carried to excess. That is the danger. This has been the great lesson of Indian history. It has been detrimental to India's unity and that we must remember. Therefore, there must be a synthesis, a harmony and a balance between national unity or Indian nationalism and this concept of regional patriotism. And that is a difficult task, but you have got to solve it and we are here to solve it and our services will be always at the disposal of anybody who is trying to bring about that unity, that synthesis, that balance and that reconciliation.

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru): We are at the last stage of the long journey. I have, like other Members of this House, closely followed the career of this Bill and what has gone before it. Perhaps, I have spoken less here on this particular subject than many of my colleagues, many other Members of this House. That was not because I was not deeply interested. I followed much that was said, and there was much that was good sense and much that was not sense at all, and I did not think that I could add very much to this debate, but now that we have arrived at the last stage of this particular measure which is of so great importance. I should like to say something more really to associate myself fully with it, than to throw any additional light on this problem which we have had for this long time.

The hon. Member who has just spoken referred to what the Congress policy has been. May I respectfully inform him that I know more about the Congress than he does? May I respectfully inform him that what he has said has not been the Congress policy for the last several years? And may I tell him that when it was the Congress policy to begin with, it was under entirely different circumstances? And may I tell him that today Congress policies are opposed to that completely? Let us be clear about it. We do not stand for this principle of uni-linguism. We may have a uni-lingual State, we may, but basically we stand for something different from that. That is the Congress policy. Naturally, no such policy can be rigidly applied this way or that way. It depends on so many factors, but when we are reminded and told repeatedly that in 1922 or earlier we spoke about linguistic provinces and therefore we are betraying that cause, I am really surprised that people, without knowing the circumstances, the context of a

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particular statement at a particular time and further not knowing what has happened subsequently, should make that remark. Repeatedly this matter has been considered by the Congress, by its highest organisation, and we have repeatedly laid stress that the most important thing is not this uni-lingual province, that there are far more important factors than the linguistic formation of a province.

Language is important, but I should like to ask this House to consider that there is a difference between the importance of a language, the encouragement of a language and all that, and the boundaries of a State. Language should not be confused with the boundaries of a State. It may be that sometimes the boundaries may be linguistic. We have no objection. It is a good thing. But to think that it is a vital issue, that a State should be bounded by a certain linguistic area is, I think, a basically wrong approach, and I should like to say that in so far as I have any influence with the Congress I have put it the other way, and I am glad to say that the Congress over the last few years, if you look at its resolution, has clearly accepted that. So, that, let there be no mistake as to what the Congress stands for. I cannot, of course, speak for what others may stand for, for other views, but we have seen in the last few months many things happening in this country in the name of language, in the name of linguistic provinces which I take it every Member of this House considers absolutely deplorable. It does not matter very much, in my humble opinion, where the boundary of a State is. It is a matter for careful consideration. There are sentiments about it. Let us consider sentiments. Let us consider the question, the economic aspect of it, the strategic aspect of it, the cultural aspect or whatever you like. But it is not a question which one should say should be decided in the streets by fighting, by destruction, by arson or by firing, whoever may be right about it.

And the misfortune has been that the authority of this Parliament has been challenged often enough. And sometimes, hon. Members of this House have encouraged that challenge of the authority of this House, even outside here near the gates or farther afield. I do submit this raises a very vital issue for this House and for Parliament. Where are we? If anything that we decide is challenged, then where are we? It is not that it should not be challenged, but the point is the manner of the challenge, and the manner it is encouraged. It is becoming almost a habit; when something is done, it is disapproved of, and therefore, people should attack the police, commit arson, roam about breaking things then, the police comes in, the police stops them, the police fires. The police may be at fault, or the others may be at fault. I cannot speak of any particular instance. But this is a curious and vicious circle that we are getting into.

Then, of course, we have motions for adjournment saying it is a terrible thing, that the police has fired, there is ruthless oppression and all that. I really would like this House to consider, where are we. Where are we going to in this world, with this encouragement of this kind of public violence, challenging decisions taken in this House or being discussed in this House? It is not the normal habit in any country, whether it is a communist country or a non-communist country. Where are we? I should like to know. In a communist country, there would be trouble if anybody raised his head against a decision of government. Hon. Members know that very well. Nobody dare raise his head there. If he raises his head, the head disappears too. That is all. There is no motion of adjournment anywhere, and no discussion about a subject

Shri A. K. Gopalan: So, you are also following it or beginning to follow it?

Shri Jawaharlal Nehru: The hon. Member's head is perfectly safe here, if the hon. Member wants me to reply to that. Is it the hon. Member's argument that people should go, commit arson, break people's heads, and no action should be taken? Is that the argument?

Shri K. K. Basu: Nobody has said so.

Shri Jawaharlal Nehru: I am glad nobody said so. But it is repeatedly said that the police is always bad. The police might have committed mistakes. Nobody said that the police is right. But the most extraordinary thing which the hon. Member said this morning was that these troubles in Ahmedabad have been provoked by the police. I say this is fantastic nonsense, if anybody were to tell me like that.

Shri A. K. Gopalan: Provoked by the decision of Government.

Shri Jawaharlal Nehru: May be; provoked by the decision of Government, and provoked by them, by the hon. Member's colleagues there, whose chief purpose is to create disturbances and troubles elsewhere. (*Interruptions*). It is not the hon. Members' right only to speak on the floor of this House. I say and challenge this that hon. Members, some hon. Members sitting in this House, provoked these troubles and encouraged those people who provoked troubles. (*Interruptions*). I am not giving way. (*Interruptions*). I am glad that some words of truth have hit home. I am glad that some gentle reminders of some obvious facts have found on echo in the minds and hearts of hon. Members opposite.

Shri Kamath: They have gone home to you also. You have lost your temper.

Shri Jawaharlal Nehru: I would beg this House to consider this. Has a word been said condemning violence? I have condemned the police often enough, where they have been wrong. But has the hon. Member opposite ever condemned an act of violence?

An Hon. Member: Not once.

Shri Kamath: Of course, every time.

Shri Jawaharlal Nehru: I am glad. I was waiting to hear them condemn these acts of violence.....

Shri Kamath: You are deaf. You do not hear. You should have heard them already.

Shri Jawaharlal Nehru:.....committed by those whom they encourage. This is the major question for this House to consider, and not motions for adjournment repeatedly brought in, without realising who does this, why all this happens....

Shri Kamath: On a point of order. It is within your powers to decide whether a motion for adjournment is admissible or not. It is not for the Prime Minister to question the right of a Member to table the motion. It is not for the Prime Minister to decide the admissibility.

Mr. Speaker: I have already decided the point of order. I have rejected it. There is no point of order in this. I have already disallowed the adjournment motion. The Prime Minister is entitled to say that this adjournment motion has been disallowed rightly; also, he is entitled to condemn what has hapeneded there.

Shri Jawaharlal Nehru: I would not presume to refer to any particular adjournment motion. I was referring to a procedure which has become almost the monopoly of hon. Members opposite. In this world, I venture to remind this House, of strife and trouble and huge problems arising here, we sit down here and all we can do is to go on repeating the same thing in the same exuberant language, that the police is bad, the firing is wrong, there is ruthless

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oppression and so on; I really am amazed at the lack of intelligence of some people, who have found no novel idea.

Shri Kamath: Hold up the mirror to you and to your own party.

Shri N. C. Chatterjee: On a point of privilege.....

Shri Kamath: On a point of order. (*Interruptions*).

Pandit Thakur Das Bhargava (Gurgaon): It is not fair that all this simultaneous shouting by many members of the opposition should go on. When a Member speaks, other hon. Members should not interrupt him.

Mr. Speaker: I would request the Prime Minister to resume his seat for a minute. We heard Shri H. N. Mukerjee use language which was very strong, and condemn Government. Is not the spokesman of Government entitled to say—when Government are condemned—who are responsible for this? Also, when he says that intelligence is wanting, or what the hon. Member said is not intelligent, why should there be any objection? (*Interruptions*).

Shri K. K. Basu (Diamond Harbour): If he says like that, we are entitled to interrupt.

Mr. Speaker: Order, order. Hon. Members ought not to interject. When they give, they must equally be prepared to take. It is not an one-way traffic. Each hon. Member may have an opportunity to speak.

Shri Jawaharlal Nehru: I am sorry; if by any mistake, I committed the error of using an unparliamentary expression. I am sure you, Sir, would call me to order, and I will express my regret. But if I say that loud shouting does not take the place of intelligence, that, I hope, is not unparliamentary. If I say that the cheap business of eloquence of hands and voice, and waving about of hands is not a logical argument, that, I hope, is not unparliamentary. We have had enough of this loud shouting and waving of hands and this kind of exuberant eloquence.

We are dealing with hard facts and hard situations. We are dealing with the world, and I say so with all gravity, which is in a very dangerous state; it may be in a more dangerous state, for what you and I know, in the future. Here it is, and we are playing about with these things, without realising where we are; whether it is the international situation, or whether it is our Second Five Year Plan, everything must go before these petty objections and petty reasons and petty shoutings. Let us consider matters in a reasonable way. What does it matter to this Government or to me—I would not say, any hon. Member of this House; it may—whether the Bihar-Bengal boundary is here or there, whether the border of this province is here or there. It is not a political question for me. Obviously, it is not an economic question. It may be a question of high sentiment and high importance for people who live there. I agree. But so far as this Government is concerned, it makes no difference to us whether the boundary is shifted this way or that way. We may make a mistake. We have made mistakes, but it was of no consequence to us, that is what I am wishing to submit, what the State boundaries should be.

Therefore, as the House very well knows, we went all out to get as great a measure of support as possible from the people by agreement. Let us say we did succeed in a very large measure—90 per cent. We did not succeed in some measure. We had to come to some decision. We came to some decision according to our judgment of what we considered best.

Now, for the hon. Member, Shri N. C. Chatterjee to say that we did not consult this man or that man and this group or that group, I do

submit, is not completely accurate. Obviously, we did not consult everybody. But I do submit that we consulted people outside the Congress ranks, outside groups, many a time, as he himself happens to say. I had the privilege of talking to him on these subjects on more than one occasion. So that it is not that there was no consultation.

Let us consider this matter apart from all the excitement that it has caused. Here was a simple matter, not as simple in that sense, but in the sense of its being non-political and non-economic. The country is concerned with major political and major economic issues. This was neither a major political nor a major economic issue. It was a major issue of high sentiment which often rouses passion. We admit that. Let us try to satisfy that sentiment. But where two sentiments come into conflict, difficulty arises and we have had to face these conflicts between sentiments.

Now, the other point is about the basic policy which we must pursue in regard to that matter. It has always been said, right from the beginning, by the Congress and more recently in the last four, five or six years—and I take it that the House certainly agrees with it—that the first, and absolutely first, consideration is the unity of India and the homogeneity of India. If that is so, we must judge every other argument from that point of view. The second point would be the economic advantage to India or to that particular place. These are two basic things; other things follow.

Now, we have seen in the last few months how much this question rouses passion, how one neighbour attacks one's neighbour, how one linguistic area gets worked up against another linguistic area. All of us are guilty of that; nobody is free from it. We have seen that. It is a dangerous thing that we have seen; it is a bad thing that we have seen. It is a thing which, I hope, nobody has liked. Far from encouraging it, everything should be done to discourage this kind of thing.

Speaking for myself, I have come to the firm conclusion that this linguistic States idea takes us into a dangerous direction. I do not mean to say that we upset it; it is not that. But this talk of purely linguistic provinces and 'clean' boundaries is something which tends towards lessening the idea of the unity of India. I am told that that makes a group homogenous socially. I agree, and therefore, I attach importance to the language. But I distinguish between importance to the language and the culture of the place, and the physical boundary of a State. I think the two ought to be kept apart.

Therefore, what we have seen has made us doubt about the basic conception of unity in India, how easily it is broken up and how easily people forget the first and second issues and go to the third and fourth issues. Therefore, I had ventured to become, even more than ever before, opposed to this idea of small States, each thinking in its own way and forgetting the larger issue. Therefore, although originally—not today, but 20 years ago—I was in favour of a large number of small States in India, I have completely changed my mind and I believe in big States now.

There are various other things; it is immaterial whether I believe in them or I do not believe in them. But I do wish this House to consider that everything should be judged at anytime, more especially today, in the context of the world, in the context of India, in the context of our industrial development and Five Year Plan, from these basic points of view, that is, the unity of India, the harmonious working of our Five Year Plan etc. Everything else is secondary. It just does not matter where our boundaries are. If we do not make any real progress in our industrial development, the boundaries won't make, or bring about, that

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industrial development. And if we are too excited to do that work, and if we merely argue with each other and fight each other in the streets or outside about these matters, it is obvious that we shall neither have any reputation in the country or outside the country nor indeed in our minds or hearts.

Therefore, the primary thing is for us to cultivate this atmosphere in the country of having the freest discussion, having the freest expression of opinion, debate of every type and argument, but that must be on the peaceful level—not this kind of thing. It is, after all, degrading, very degrading, that this kind of thing is happening in our country. Whatever the merits of the question, whatever the disagreement on this, it is a wrong thing. I want this House to consider this. This idea that is thrust about, that it is a continuation of our national movement, is completely wrong. It is one thing to fight an imperialist Power, and even that fight we did by peaceful methods. But this is another thing—the word 'satyagraha' that is bandied about today, something which is millions of miles away from any idea of satyagraha that Mahatmaji had.

We have here persons going to prison. It is a joke—a thousand men arrested and released one hour later. Everybody knows that it is a complete joke—this business of going out in the course of the afternoon or, may be, becoming martyrs. Where are we? Are we becoming an opera-bouffe—this country—for the world to laugh at? This kind of thing, people coming with flags from the Punjab and forcibly sticking them on the engine and threatening the driver—what is this happening? Is it some kind of a theatrical performance for the edification of others or is it a serious work?

The hon. Member Shri N. C. Chatterjee, referred to my coming down somewhere and dealing with this Bombay province and Punjab province. I can assure him—this is my uttermost conviction—that so far as the Punjab is concerned, I have never come across a more mischievous, a more misconceived and foolish thing, without any basis, than the Hindu Mahasabha agitation. I venture to express my opinion. I can see the reasons for other people in the rest of India, whether it is Gujaratis or Maharashtrians or Kannadigas, agreeing or disagreeing. But there is not an atom of reason, except sheer mischief, so far as the Punjab agitation is concerned.

Shri N. C. Chatterjee: That is for the full implementation of the SRC's scheme. Is that foolish, is that mischievous, is that anti-national? What is this nonsense?

An Hon. Member: Nonsense?

Shri Jawaharlal Nehru: I say that this agitation, the manner it is carried out the object of it, everything behind it, can mean only one of two things: either those who carry it on have not understood what this formula is or having understood it, they nevertheless want to do something that, I think, is completely wrong.

However, here it is. We have arrived, as I said, at the conclusion of this journey. I cannot say—nobody can say—that this has been the ideal solution of every problem in India. Of course, not; no problem has an ideal solution. But how do you deal with these matters? You arrive at a conclusion; after long and interminable delay, you arrive at a conclusion, and Parliament puts its seal upon it. When Parliament has decided—and I take it, it will decide—the matter becomes the law of the land.

What happens to this country if we go on fighting everyday? Is that the way civilised a nation carries on? Is that the way any kind of decent politics are carried on? Immediately if you lose in Parliament—anybody

loses in Parliament—you take the issue to the streets and—demonstration. This is a big country. A demonstration does not mean—I would beg the House to remember—that people are against it. Every minority can have a demonstration when the majority does something. It does not mean that the people are against it. The only way to ascertain the views of the people is, after all, by the vote at the general elections or other elections or some other way. There may be some other way of generally guessing it. We may have some kind of polls.

But this business of challenging the decisions of Parliament in the streets and in a violent way—I am not talking about peaceful expressions of opinion—is something which is basically opposed to the whole democratic conception and method.

The hon. Member opposite talks about democracy being crushed by this Government. I really do not know what his idea of democracy is. It must be obviously something radically and absolutely different from the normal idea of democracy. Certainly, I never associated democracy with the workings of Rashtriya Swayam Sewak Sangh or the Hindu Mahasabha organisations.

We have arrived at a stage and we shall soon pass this stage to come to another stage. It is for this House to be clear, it is for this Government to be clear and for every Member of this House to be clear that, having decided after long debate something, we should accept it. I understand—I was not here—that my colleague Shri Gadgil said, he has been a stout fighter; he has fought and has fought to the bitter end and he gave his vote against this. But, nevertheless, he said: if that is done and accepted, well, he accepts it. In the normal course of things he has to say something and has said it in the normal way. He accepts it. I submit that is the only way to deal with any matter. If Parliament decides something, accept it and work it. If it is a matter of deep conscience for somebody—I do not perceive a conscience concerned about a boundary and I hope conscience concerns itself with deeper matters than the boundaries of districts and States etc.—if it is a matter of conscience with that person—well I cannot say—let him, then, serve his conscience as he thinks fit. But how this conscience leads one to commit violence, it is beyond me. Therefore this must be accepted. What is happening in Ahmedabad? Really I do not know how to understand this kind of mob violence. Let us admit that those people who did it did not like the decision we came to.

First of all, after months of debate and argument and personal discussion and trying to throw light on the question, on every aspect of it, we here come to a decision.

Shri A. K. Gopalan: This decision was taken within 24-hours.

Shri Jawaharlal Nehru: The decision was not a 24-hour decision.

Shri A. K. Gopalan: Yes; it was.

Shri Jawaharlal Nehru: I may remind my hon. friend that it was always talked about. He is strictly right when he says that a certain intermediate decision was changed. Certainly, that is not the point. We came to a decision. And now, these gentlemen in Ahmedabad, or Calcutta or Madras or Allahabad, wherever you like, come out into the streets without, of course, having had the benefit of any discussion, that long, long discussion—probably they have not read anything about it—but simply because of sentiment they feel it is wrong. I say it is a reversal of the process of democracy or reasonable process of approaching anything. Parliament will cease to be. Let us say the Police did not stop the demonstrators outside here; they will simply come here and at next to you and threaten you. How will Parliament function? Indeed the police stopped them and in stopping them, the Police pushed too hard. No objection could be taken to Police

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misbehaving or repressing the natural instincts of those who were taken in custody. That is not a reasonable approach. I say, with respect to the House, not as Prime Minister or a Member of the Congress Party—although it is my high privilege to have been in the Congress for the last 40 or 45 years—but as a Member of this House, wishing to preserve the dignity of this House, the dignity of Parliament, the dignity of democratic procedure, the dignity of India and this nation,—all these things, I take it, are dear to everyone here and to everyone in India. We may make mistakes—we make so many mistakes —but you do not correct a mistake by wrong procedure, wrong means and by going the wrong way. You have to build up this country and that requires the effort of everyone. It requires, I believe, free speech, free expression, free opposition and all that. But, it does not require—in fact, far from requiring, it cannot exist, free speech cannot exist, free expression of opinion cannot exist if you have violence in the streets. That is not free speech. What was happening in the Punjab? A man was to go and address a meeting. Ten, twenty or thirty rowdies prevented him from speaking. That is suppression of free speech; that is wrong. Government suppression is bad and so is popular suppression of free speech equally bad. They are both suppressions of free speech and they are both bad. A Government can be regulated; but popular expression cannot be regulated. It is worse, therefore, when nobody is responsible.

Therefore, I would appeal to this House—this House is wise enough to act rightly—and to the wider public that these ways of violence should be given up not only because they are too bad but because they come in the way of future co-operation. We can never function in this country unless we co-operate with each other, unless the Tamil co-operates with the Telugu and the Kannada, the Malayalee and the Marathi and the Gujarati and the Bengali and the Punjabi and so on. All this trouble has somehow made it difficult for people to co-operate with each other. It has created an atmosphere. Now, having finished this, let us be done with it, right or wrong and try to produce the atmosphere of co-operation.

Shri Kelappan (Ponnani): Let me thank you for giving me this opportunity. Let me at the outset say that I am only speaking for myself and not for my party. It is a happy augury that the Government have solved what appeared to be an insoluble problem, the problem of Bombay. I congratulate the Government on the courage they have shown in retracing their wrong steps. The greatest blunder that Government committed was to appoint the States Reorganisation Commission to divide the country on a linguistic basis. One wrong step led to another which, in its turn, led to others. Certain farsighted persons suggested to put off the reorganisation of States for some time. That would, probably, have given us time to think and enabled us to see things in their true perspective. Linguistic States, it is now admitted, would bad to the disruption of the unity of this country.

India is one State with a common culture, with a common philosophy and a common conception of life, we have a common literature and a common language—Sanskrit, not Hindi is that common language. The Indian philosopher, whether he is a Maharashtrian, Bengali or a Tamilian will quote from the same Sanskrit texts in propounding Indian philosophy of life. My friends here from Maharashtra and Bengal were also quoting texts from the same language Ancient knowledge, whether of medicine, science or philosophy is treasured up in that language. *Vyasa, Valmiki, Lord Buddha,* and *Shri Sankaracharya* are our Gurus. You do not see another country in the world which, in spite of its vastness, retains unity which is so unique. Those bonds began to weaken be-

cause of Western impact. The unilingual States would have completed that process. We did not hesitate to cut the throats of each other in the name of linguism. Sense has dawned on us. You have cried halt. I am hoping that bilingual or multilingual States would take the place of unilingual States and the unity of the country would be maintained.

Sir, we are one nation and one State in spite of the many languages we speak. The "One language,—one nation" theory of Stalin, I thought, had been exploded with several of his other pet theories; but, our communist friends still hold on to that. Let me hope that the Prime Minister will put his firm foot on this tendency and stop this process of disintegration and continue his efforts to usher in more bilingual and multi-lingual States in the country. A Southern State, consisting of Kannada, Telugu, Tamil and Malayalam speaking people is the ideal I cherish. I hope the immediate formation of a State consisting of Mysore and Kerala will pave the way for that larger unit.

2 P.M.

I want to draw the attention of this House and the Government to another ominous and disturbing factor which the country cannot afford to ignore. This Parliament is the sovereign legislature of India and represents the highest form of democracy. The five hundred Members who assemble in this House are elected by the nation on adult sufferage. The way to alter the decisions of such a body is not stone-throwing, incendiarism and destruction of national property. There is the constitutional method and that is the only method. An appeal to the nation, to the voters, is the way to get the decision of Parliament altered. It is not only dangerous but destructive of all democracy to appeal to the streets of Bombay and Ahmedabad to unsettle the decisions arrived at by Government after prolonged consultations with the leaders of the nation.

The way our students are behaving must arrest the attention of the leaders who have the interest of the country as well as the well-being of the students themselves at heart. The parents and the governments must meet together and find a solution. It is true that throughout our fight for the freedom of the country students have been used for political propaganda and action. That was when we were slaves kept down by the might of the sword. In free India under a democratic set-up students must leave active politics to their elders and confine themselves to their studies, to their colleges and their hostels. For them to try to unsettle the decisions of Government by resort to violence and destruction no Government can countenance. Their conduct in the colleges is, even more reprehensible. For students to go to examination hall with revolvers and other deadly weapons in their pockets to threaten the lives of superintendents who dare to interfere with their malpractices is something which persons like me cannot understand. Our educational institutions which should produce noble sons and daughters, fearless, upright and just, wedded to non-violence cannot be allowed to degenerate to their present level. These happenings must make us pause and think.

I am one with this Government in all that they do to strengthen the unity of this country. Let me hope that the formation of the bilingual State of Bombay is only the beginning of what the Government propose to do in the future. I do not, therefore, say anything now about the injustice done to Kerala, one of the smallest —perhaps the smallest—State in area with the highest density of population.

Shri C. D. Deshmukh (Kolaba): Mr. Speaker, Sir, I am now well-satisfied with the Bill as it has emerged from the consideration stage especially on account of the amendment which led to the creation of the new Bombay State. I must confess that I do not expect wonders from

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the zonal councils which seems to me only to give a certain amount of legislative rigidity to a procedure which is well-known and which is already resorted to whenever disputes are to be settled between two States. The present practice, in my opinion, is more flexible. I referred to an instance the other day: the solution of the difficulties in regard to the Tungabhadra project which were settled through the intervention of the Deputy Chairman of the Planning Commission. Any way I have no great quarrel with the legislative machinery that has now been created except perhaps in the matter of the provision in regard to voting.

If one studies the composition of the zonal councils, he will find that usually the two parties will be well matched; ordinarily they will be three Ministers on the one side and three on the other and the scales will have to be held even by the Union Minister who is to preside, again ordinarily to preside. Now in a sense that converts him perhaps inconveniently into an arbiter and since the recommendations of the zonal councils are to go in many cases to the Central Government I fear that he will find himself in a somewhat awkward situation having already come to a decision. Nevertheless, I hope that this machinery will work well with the goodwill of all concerned.

I feel greatly troubled by the uncertain state in which all these border disputes have been left, although now we have put the seal of our approval on the, in my opinion, necessarily provisional arrangements that are contained in the Bill as it has emerged from the consideration stage. I have no doubt whatsoever that these disputes will be brought up again before the zonal councils concerned. I have no doubt that the two sides in the absence of any formula will take positions and postures and the matter will be more or less decided by the vote, or the casting vote of the Chairman.

Now if one had reason to believe that the Chairman was likely to act on a deep consideration of the principles involved, one might not even object to his arrangement. But I see no evidence that these principles have been well considered. Nor do I find that there will be readiness to refer every dispute to the Central Government for its final decision. The hon. the Home Minister said: "I hope the zonal councils will be able to show better results. And if everything fails and if the problem is really of special significance and there are special circumstances, the Government will take stock of the situation and see how it can be helped." These are words which are hedged in with so many 'ifs' and 'buts' that I fear that the large majority of border disputes will remain unsettled. As I pointed out yesterday during the course of my intervention, my information is that about 4 crores of people are affected all over. That is a very large number, and I am confident that if one were to revise this present principle that has been applied, one could reduce the number of people involved very considerably. Naturally it is not possible for me to say to what extent that number will be reduced. In the course of his observations, the hon. Home Minister said also—I quote again—

> "My request was not for a formula because my own feeling is this. So far as those differences are concerned, they can be settled better if we have no rigid formula than by sticking to a particular formula. Otherwise we have a formula already, a formula that was proposed by the Dar Commission that has been approved by the States Reorganisation Commission and we cannot lightly tamper with that."

In other words, the attitude of the hon. Home Minister appears to be that this is by and large the best formula that one could think of and

that unless the two parties thought it fit to agree, matters will be left where they are today.

On a factual aspect of this situation I am not quite certain if by his reference to the Dar Commission the hon. Home Minister intended to refer to paragraph 63 at page 12, because as far I can find, that is the only reference to this 50 to 70 per cent formula. With your permission, because this is an important point, I shall read this out:

> "All the evidence before us is agreed that it would not be proper to call any area a unilingual area unless the majority of the one language spoken in that area reaches at least 70 per cent and any area below that should be considered as bilingual or multilingual, as the case may be. On this principle, it is claimed by all the advocates of linguistic provinces that all border districts where the majority language is 50 to 70 per cent may be treated as bilingual and broken up into bits up to villages and their population appropriated to contiguous linguistic areas. This is the way in which equities are proposed to be adjusted in bilingual areas between rival linguistic groups, who reside there."

Then they go on to say:

> "If border districts, which are bilingual and which have developed an organism and an economic life of their own, are to be broken up...."

Then they go on to argue that the same logic might be applied to cities.

From this I infer that they accepted this kind of principle, but it would be noticed that they use this 50 to 70 per cent in the first place to determine which large unit can be regarded as a bilingual unit, as I understand it. Taking the case of Belgaum again.....

Shri Venkataraman: I rise on a point of order, Sir, Under rule 132, the scope of discussion of a Bill in the Third Reading is as follows:

> "The discussion on a motion that the Bill be passed shall be confined to the submission of arguments either in support of the Bill or for the rejection of the Bill. In making his speech a member shall not refer to the details of the Bill further than is necessary for the purpose of his arguments which shall be of a general character."

The hon. Member, when he opened his remarks, said that he is in favour of the Bill as it has emerged, but now he is going on with the details of the various clauses. I wish to draw your attention that such a discussion now is out of order.

Shri C. D. Deshmukh: May I make my position clear? I said that the Bill provides for the Zonal Councils to determine the border disputes. Then I went on to say that although I am in favour of the Bill, I am somewhat apprehensive of the effectiveness of these provisions because of the fact that proper principles have not been indicated beforehand as might have been done had we accepted that amendment, I think amendment No. 490, in regard to the Boundary Commission. I am only pointing out factually for future use by these same Zonal Councils in implementing this scope of ours that the Zonal Councils will be able to deal with the matter. I am pointing out that the Dar Commission....

Mr. Speaker: So far as these details are concerned, this matter was discussed at length. I was also waiting to see how far the hon. Member wanted to go. For these details there were appropriate occasions and the hon. Member had also an opportunity to speak about them. All that he can say now is that the Zonal Councils in the opinion of the hon. Member do not meet the purpose. He has said that the hon. Home Minister's reply

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is hedged in with this and that. All that is appropriate. Further to support as to why he feels that the Boundary Commission is necessary and going to the Dar Commission Report in detail is not appropriate in the Third Reading stage.

Shri C. D. Deshmukh: I am not supporting the Boundary Commission now, I am saying that the principle which was approved by the Dar Commission should be applied to villages.

Mr. Speaker: We are not going into the villages now....

Shri C. D. Deshmukh: I am only drawing the attention of the hon. Home Minister....

Mr. Speaker: That may be but not here.

Shri C. D. Deshmukh: But I have done it anyway.

Mr. Speaker: I cannot go and scratch it, but he need not proceed with it further. Let it be definitely understood that the Third Reading stage is meant for general discussion and hon. Members may refer to some points and general matters about the Bill as a whole. The details with respect to the various provisions or what is important or what is not important ought not to be gone into now.

Shri Joachim Alva (Kanara): While submitting to the rules as they are, should they not be elastic enough to blow out the fears one may have?

Mr. Speaker: I am not here to give a general opinion on general subjects.

Shri C. D. Deshmukh: The other point in regard to which I wish to make a few observations is the question of unilingual and bilingual States. Would that be in order?

Mr. Speaker: The hon. Member is supporting it and there is no need to once again go into it. What I am saying is that a general discussion on whether a unilingual or bilingual State is good or bad is not appropriate here. There is a sense of satisfaction with a bilingual State. The hon. Member knows that well and he need not wait for enlightenment from me, but he must confine his remarks to general issues.

Shri C. D. Deshmukh: I was only seeing if I would be able to convince those who are not taking kindly to this arrangement about Bombay that it is in the best interests of everyone. But if you feel that no observations are called for from me, I am content with having said this much....

Mr. Speaker: I thought the hon. Member wanted to ascertain from me whether he could speak on the question whether a unilingual State is preferable to a bilingual State or a bilingual State is preferable to a unilingual State, and I said that a general discussion of that kind is not appropriate at this stage. If he thinks that what is decided by this House is quite good so far as bilingual State is concerned, he can certainly say that.

Shri Kamath: You, Sir, allowed the Prime Minister to say all sorts of things in this House.

Mr. Speaker: The Prime Minister had not said all sorts of things. He said that once a decision has been taken in this House, this is not the method in which the decision ought to be revoked. He is entitled to say that. Every hon. Member who is here whether he was a party or not a party to this decision, must try to implement it. At any rate they are all representatives of various groups, not groups of territorial constituencies and the Prime Minister is entitled to make an appeal and he made an appeal to every hon. Member. If he feels that whatever that is going on outside is wrong, he is entitled to do so. After all, when a Bill is passed for the purpose of implementation, no hon. Member can say "We are not going to implement it".

Shri C. D. Deshmukh: The implementation of this would be easier if people who are objecting understood that their objections were not very well-founded. According to my humble intellect, I think that is relevant especially as it is my view that these questions as to whether a State should be unilingual or bilingual are not influenced by sentiment or passion but by calculation of which arrangement is likely to promote the economic interests of a certain region. It happens sometimes that that region is identical with a language group. Sometimes it may happen that that region might have two language groups or three. Therefore, I am going to say that one should not attach too much importance to this business of unilingual or bilingual State; one should direct one's attention to finding out whether a particular arrangement approved by Parliament is likely to subserve their interests.

In the light of this criterion, I am quite convinced—and I have some little right to say so with authority—that the arrangement in regard to the new Bombay State is likely to subserve the interest of all parts or sections of the State. It was with a recognition of this that I was among those who suggested to the Commission that we should have at least one good and leading example of a bilingual State in ndia.

I have thought it necessary to refer to this small bit of autobiography because Shri Mukerjee has referred to my perambulations. My perambulations are like *pradakshana* and I have come to the very point from which I started. (*Interruptions*)

An Hon. Member: Don't resign.

Shri C. D. Deshmukh: The reactions of the people have been communicated to me. Because of recent events, a great many people have been sending telegrams and letters to me. Shoals of telegrams have been showered on me. Generally, I find that the reactions are favourable to this new bilingual State of Bombay. It is true that there is a minority—and I am quite convinced it is only a minority—in both Maharashtra and Gujarat, who are somewhat fearful and diffident but, in my opinion, the apprehensions and dissatisfactions of these minorities cancel each other.

I hold that no solution can be good which is hailed as a singular triumph for one party or one side alone. Indeed, in my opinion, in the affairs of the world a little generosity, just when hopes look likely to be fulfilled, is the path of wisdom and the interests of any particular group cannot be the sole criterion of the success of any arrangement. The promotion of national interest, as a whole, must be equally important and a right solution must reconcile both these categories of interests. I have been satisfied that the bilingual Bombay, approved by Parliament, is such a solution. Bombay city can now very well throw open its doors to all, as it has always done in the past and let us resolve never to think in terms of partition again. It is only thus that not only Bombay, but all the cities of India will truly belong to India without worrying about the population percentages and so on and they will not regard themselves as belonging to any particular territorial unit. The instruments of Governments have necessarily to be determind by geography but all Governments have to subserve local as well as national interests.

I am confident that this partnership is bound to succeed if the partners studied the laws about the formation of partnerships and not the laws governing dissolution.

Shri A. K. Gopalan: Sir, I am not at all surprised at the outburst of the Prime Minister. He said that he did not like certain things which were happening in certain parts of the country. At least at this time, we thought that he would have understood the position and tried to remedy it. Instead, he came out, as usual, and talked about countries where persons were not allowed to talk and where their heads were taken and so on. If there are such

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countries, let the persons there fight against it.

It is not the first time that, when we are discussing certain things and there is a difference of opinion, instead of explaining and convincing us whether we are right or wrong, has said such things. I am glad that he has admitted one thing. He has said that the Congress Party today was different from what it was before 1947, and that the reorganisation of the States is not on the basis of linguistic considerations. So, he has said that they have gone back. I am glad that the people have understood this position. It is they who taught the people that the reorganisation of the States will be on linguistic basis and people have understood that it is not so now. That is why we see certain things in Gujarat and other places.

I do not know whether the Government would say that the members of the SRC were anti-social elements. They were not anti-social elements. When I looked into its report, I found that they had said certain things definitely. They said:

> "The urge for linguistic States has now gone so deeply into the minds of the masses that a refusal to create such a State at this stage would lead to a widespread sense of frustration which may have very grave consequences."

What is happening today? There is a sense of frustration in the country. Why? They thought that the reorganisation of the States would be on a linguistic basis. They were convinced of it. For the last forty years, the Congress Party accepted that principle. Even after 1947, it did not say that its policy was not reorganisation of the States on a linguistic basis. It did not say that it has thrown away that policy. That is why the SRC said that the urge was very deep. If it went back on its declared policy of having linguistic States, the Commission said that there would be a sense of widespread frustration. That frustration means certain calamities.

It is said that this is done for the welfare of the country. Members are sorry instead of being happy. They do not feel glad or feel that they have done a good thing. At this time when we are about to pass this Bill, we do not know how many people would have been killed in Gujarat and other places. Thousands of people in the country feel it. Have they all become anti-social? Are they anti-social because there are agitations? How is it that the country has created so many anti-social elements? Is it suggested that the people of Gujarat are all anti-social? Eighty thousand students in Bombay and several thousand workers and also other sections of the people cannot all become anti-social.

Kerala State is being formed. They are not rejoicing today. Wherever States are formed, there is frustration today. For years together, people wanted Kerala State. But, when Kerala State is formed, the Assembly members there are thrown away. When the President's Emergency Proclamation was there, we pointed out that the Assembly need not be dissolved but that it might be suspended under the provisions of the Constitution. It was then said that it should not be done and it was dissolved. Now, when the Kerala State is formed, they say that, as the Assembly has been dissolved nothing could be done. What about Tamil Nad? What about Karnataka? People are not glad even there. The boundary disputes are not settled and there are no boundary commissions either, to decide these disputes on some basic principles. So, wherever a particular section of the people think that they did not get a portion which actually belonged to them, there is certainly quarrel and frustration. Even where States have been formed more or less on a linguistic basis, though they are truncated States, people are not glad because the principle that had been advocated

for the last so many years has not been implemented. If the Congress wanted to change its policy,—it has changed its policy—if they wanted to say that what they had been saying all along was not correct and was not to the interests of the country, they should have done the reorganisation of the States after convincing the people. At least they should have done it after convincing those who are in the Congress ranks. I can understand Shri Gadgil today saying that injustice is done. Till yesterday he was fighting for Samyukta Maharashtra with Bombay and was saying that if that is not given there is injustice. Today he says, I agree with the injustice done and so I will support the injustice from tomorrow onwards.

Sir, we have always said that we would not support it. The Prime Minister challenged the Parliament. It is no question of challenging the Parliament, it is a question of challenging the Government. Everyday we point out that the Factory Act and other Acts are being flouted. Those Acts have been passed by the Parliament. But nothing is being done in respect of them. Today we have a right. When the majority passes a thing and when we say that certainly we do not agree with the principle and that we are opposed to it, we have a right to see that it is changed by organising the people and by constitutional methods. We have a right to agitate for it and change it. To say that when the majority have passed a thing, which we think is not correct, we must abide by it and implement it is not correct. When something is done, which we think is injustice and with the principle of which we do not agree, to say that we must also support it is I think not democracy. Democracy has to see that even the minority has got a right to influence the people, to organise the people, to convince them that a thing done is wrong and see that whatever action has been taken is changed. But here it is said that it is a challenge.

What is the result of this? There are very important things which are going to create trouble. There is the question of Boundary Commission. The majority of the sections of Members here feel that a Boundary Commission must be there and that power should not be given to the Zonal Council. Sir, trouble is coming on that point.

As far as linguistic minorities are concerned, it was very strongly stated that whatever practice was there, not only in respect of linguistic minorities but also with regard to religious minorities, there must be some statutory safeguards. That has not been done.

Not only that. In Maharashtra the people wanted Samyukta Maharashtra with Bombay. What the people understood was that on the principle which had been advocated to them, they would get that. The next day when the announcement was made that they are going to have a bilingual State, whatever it is, it is not as if that one morning some anti-social elements came up. Were all these anti-social elements in Gujerat keeping quiet. It may be sentimental or it may be due to their firm conviction, whatever it is, thousands of people—students, workers and others—from all sections came out and said that they only wanted Maha Gujerat and not a bilingual State. That is what we also said. We said, that the wishes of the people should be considered. Does the Prime Minister today say, we are opposed to the principle of linguistic States? The second important thing which we had said before is that the wishes of the people should be considered. That is what we had been saying all along. Unless and until the wishes of the people are considered, no good solution can be reached. If you think that the wishes of the people are against your proposal, at least make an attempt and try to see that they are convinced that the best thing in the circumstances obtaining today is a bilingual State. That was not done.

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Then again, look at the way in which it was done. Those Members of the Parliament, my friends here, who spoke very violently that they will never allow such a thing to come and who said: "what is this bilingual State; it is a balanced bilingual" and all that, those Members who spoke such things today, at four o'clock the next day morning say that they want a bilingual State. How is it? How is it within six hours such a change has come? Certainly it is not any change. Certainly, those who opposed it, suddenly when the wave of mass signature campaign came and were told that they must sign it agreed to do so. Therefore, why not at least give some time to the people to say that they are convinced about it and that they want it. Instead of that there is a challenge and there is threat.

We have said that we are opposed to it and tomorrow whenever any question of resistance is there it will be said that there is violence. Nobody has said a word about it. The Prime Minister said that 25 people came to tell us something. Who says it is correct? If the report in the paper is correct, I have read that the students, when they understood that some people were about to loot a shop, went and drove away the people. Do you call it anti-social? When somebody wanted to do something the students stopped it. The students who were demonstrating drove the people away and prevented them from looting the shop. Without understanding what the mistakes are, without understanding where we have gone wrong, without understanding whether the policy of the Government is correct, whether this policy will satisfy the people and whether this policy does anything good to the people, if anything happens in the country to shoot the people involved and then say that they are anti-social elements, to say that there are anti-social elements everywhere is wrong. I say, if everywhere in this country anti-social elements everyday are increasing, it is time for the Government to say that for the last eight years their rule has created only anti-social elements in the country and so they will go out of office and will not remain. It is not good for the Government to everyday come and say: "What can we do? There are thousands of anti-social elements in Gujerat, there are lakhs of anti-social elements in Maharashtra, there are anti-social elements everywhere". Where were these anti-social elements? Does the Government say that before 1947 all the students and others were with the British Imperialism and only when they went away they have come out to do something against the country? Does the Government say that everybody who agitates today are unpatriotic and they do not love the country? Can you say that all those who say that there must be linguistic States are anti-social and unpatriotic? They are those who fought for the country. They are the Gujerathis, Maharashtrians, Tamilians, the Punjabis and the Bengalis who stood together and fought for the freedom of the country. When they have fought together, when they have worked together, when they have stood together fighting against British Imperialism, can you say the next day they have become separated, chauvinistic and against the Government? If that is the answer that is being given every time, I am sorry the Government is jumping from one error to another error and the only solution they find to the problems is to say that the people are becoming anti-social and violent and there is nothing wrong as far as the policy of the Government is concerned.

Therefore, as far as this Bill is concerned, for the last one year we had been discussing about it. For the whole time it was under consideration there had been troubles in this country. It is only because of the principle which the Congress organisation itself had propagated among the people and which had gone deep

in the minds of the people. They had been convinced that it is good to have reorganisation on the linguistic basis. They even today feel that it is correct. As far as the question of safeguards to minorities and boundary questions are concerned, troubles are going to come. The only way in which all these things can be solved is not by lathis, bullets and Section 144. From the time we pass this will let the Government think out what are the defects and where we have gone against the people. If they do not do that and say something here about the Opposition parties and abuse them and be satisfied that they have done something, the people outside will not tolerate it.

The moment Members of Parliament here agreed to it and the Government announced it, the people in Gujerat reacted against it. Therefore, the people will react, because there are certain convictions in the minds of the people. When something is done against that, they are going to react and considering every reaction as something done by anti-social elements is not good. If you disregard the feelings of the people, the moment we pass this States Reorganisation Bill, instead of doing good to the country it will only do harm. If the defects are not understood, if the wishes of the people are not known, the protection to linguistic minorities is not given and the solution to boundary question is not found out, trouble is bound to come. After passing it may start in smaller conflicts in boundaries. If these things are not taken note of, some basic principles are not evolved and the people are not educated on them, certainly this Bill is not going to do any good to the country. It will only create confusion and whatever the intentions of the Government may be, certainly it will be defeated. We will learn a great lesson by that. We have already understood that in Gujerat. Therefore, I say, as far as the States Reorganisation Bill is concerned, which we have worked out for the last so many months, certainly it is the duty of the Government to think carefully about this thing. It is the duty of the country to see that the Government understand the reactions of the people, and the Government should either try to convince the people of their correct policy or the country should see that the Government themselves change the policy on the ground that the people want to change. If this is done, certainly, trouble will be created.

श्रीमती मणिबेन पटेल (कैरा दक्षिण): आज मेरा बोलने का बिल्कुल ही कोई विचार नहीं था लेकिन जब मैं ने देखा कि गुजरात के बारे में कुछ गलतफहमी इस सदन में फैल रही है, तो मैं ने अपना धर्म समझा कि मैं स्थिति को साफ कर दूं। पिछले दो तीन दिनों से हम ने गुजरात के साथ बराबर सम्पर्क रखा है और वहां क्या हो रहा है, इस को जानने का बराबर प्रयत्न किया है। हम दिन में दो चार बार टेलिफून कर के स्थिति को मालूम करने की कोशिश करते रहे हैं। मुझे कहना पड़ता है कि इन दिनों वहां पर जो भी कुछ हुआ है, उस से हमें बहुत शोक है, बहुत शर्म है, बहुत दुःख है। परन्तु मैं यह बात इस सदन को साफ साफ बतला देना चाहती हूं कि इस का नेतृत्व साम्यवादी पार्टी (Communist) और पी० एस० पी० (प्रजा समाजवादी दल) कर रही हैं। उन के झंडे ले कर ही ये लोग इधर उधर घूम रहे हैं। मैं इस बात को भी इस सदन को बतलाना अपना फर्ज समझती हूं कि जो मैमोरेंडम (ज्ञापन) हम ने कमिशन को दिया था उस में साफ साफ यह लिखा था कि हम बाई-लिंगुअल स्टेट (द्विभाषा भाषी राज्य) के हक़ में हैं इस मैमोरेंडम पर दस्तखत करने वाले केवल कांग्रेसी ही नहीं थे बल्कि और दूसरे लोग भी थे और वे भी इस किस्म की मांग करने में हमारे साथ शरीक हुए थे। उस के बाद बड़ी बड़ी आशायें और बड़ी बड़ी उम्मीदें थीं। अब जो परिवर्तन किया गया है, कुछ लोगों

[श्रीमति मणिबेन पटेल]

को उस से थोड़ा बहुत धक्का लग सकता है और यह बात समझ में आ सकती है। परन्तु जो तरीका विरोध जाहिर करने का अपनाया गया है, उस को देख कर हमें शर्म आती है और साथ ही साथ दुःख भी होता है। इस बिल का जो अब स्वरूप है, उस को हम ने देश के विशाल हितों को सामने रख कर ही स्वीकार किया है और यही कारण है कि न हम ने किसी प्रकार के एश्योरेंसिस (आश्वासन) मांगे हैं और न ही किन्हीं सेफगार्ड्स (संरक्षणों) की मांग की है। हम यह समझते हैं कि हम में उदार दृष्टि वाले सेवा भाव कार्य करने वाले होंगे। जो देश को आगे बढ़ाने में अपना योग दे सकेंगे। यदि हम ने इस भावना से कार्य न किया तो हम समझते हैं कुछ भी नहीं हो सकेगा। इस वास्ते इस समय गुजरात में जो कुछ हो रहा है, उस से हमें दुःख पहुंचना स्वाभाविक है। यह कहना कि वे लोग केवल रोष ही प्रकट करते हैं और कुछ नहीं करते मैं समझती हूं ठीक नहीं है। मैं आप को यह भी बतलाना चाहती हूं कि प्रदर्शनकारियों ने कांग्रेस हाउस में जा कर वहां से हमारे चीफ मिनिस्टर (मुख्य मंत्री) की तस्वीर उतार कर जलाई। भला रोष प्रकट करने का यह कौन सा तरीका है। जब हम ने गुजरात के साथ सम्पर्क स्थापित किया तो हमें बतलाया गया कि इस तरह के कार्य करने वाले कुछ एक लोग ही हैं और बाकी तो जलूस ही निकालते हैं। अखबारों में यह छपा है कि ८०,००० स्टूडेंट्स (छात्र) अहमदाबाद में स्ट्राइक (हड़ताल) पर हैं। हमें अब यह देखना है कि असली पोजीशन (स्थिति) क्या है। बाल मन्दिर से ले कर कालेज तक के विद्यार्थी क्लासिस में नहीं गये हैं। अब आप ही बतलाइये कि बाल मन्दिर के या मानटेसरी के जो बच्चे हैं वे क्या इस चीज को समझते हैं? ऐसे मौके पर जो मां बाप हैं वे डर कर तथा सोच विचार कर के अपने बच्चों को घर पर ही रख लेते हैं और समझते हैं कि इन को स्कूल भेजना ठीक नहीं है। इस वास्ते बच्चे घर पर ही रहे हैं। मैं ने आज बड़ौदा टेलिफोन किया था। मुझे बतलाया गया है कि बड़ौदा यनिवर्स्टी (विश्वविद्यालय) ने तीन दिन के लिये कालेज बन्द कर दिये हैं और आदेश दे दिये हैं कि स्कूलों तथा कालेजों के लड़के न तो कोई जलूस निकालें और न कोई सभा ही करें तथा अपने घरों में ही रहें।

इस वास्ते मैं तो केवल इतना ही बतलाने के लिये खड़ी हुई थी कि गुजरात के बारे में जो गलतफहमी पैदा हो गई है कि वहां के लोगों में बड़ा रोष है, यह बिल्कुल गलत है। हां यह बात जरूर है कि जब कोई निर्णय किसी की आशाओं के विरुद्ध कर लिया जाता है तो उस से उसे धक्का अवश्य लगता है। यह बात समझ में आ सकती है। परन्तु सारे गुजरात से सम्पर्क स्थापित कर के उन को हम ने समझाया है और वे समझ गये हैं कि जो चीज तय की गई है वह देश के विशाल हित में है और हमें इस को हिम्मत के साथ स्वीकार कर लेना चाहिये।

Shri Venkataraman: Before I offer my remarks on the Bill, I desire to move an amendment in substitution of the amendment moved by Pandit G. B. Pant this morning.

Mr. Speaker: Is it regading Kanya Kumari?

Shri Venkataraman: Yes, Sir. The areas which are transferred to Madras State consist of five taluks—Agastheeswaram, Thovala, Kalkulam and Vilavancode, and also Shencottah. The first four taluks form one contiguous area and therefore they could form a separate district. The other taluk, namely, Shencottah, is not contiguous and it is separated from the other four taluks. Therefore, it should be added on to the Tirunelveli district, as part of that district. This is my amendment which I move.

I beg to move:

That for the amendment moved by Pandit G. B. Pant, printed as No. 607 in List No. 50 of amendments, the following be substituted:

Page 4, *for* lines 1 and 2, *substitute*:

"(b) the territories comprised in the Agastheeswaram, Thovala, Kalkulam and Vilavancode taluks shall form a separate district to be known as Kanya Kumari district in the State of Madras; and

(c) the territories comprised in the Shencottah taluk shall be included in and become part of Tirunelveli district in the State of Madras."

This is in accordance with the wishes of the people who are being transferred, as it were, to the Madras State. They wanted to have a separate district and a separate district administration for them, and the Government of India have been good enough to accept their demand.

Coming to the general provisions of the Bill, I desire to support the Bill wholeheartedly for the very able manner in which the Government have solved what appeared at one time to be an insoluble problem. In fact, if we look at the general feeling in the country, apart from a few stray incidents, the reports that appear in the newspapers show that the country is satisfied with the Bill as it has emerged from second reading.

It is no doubt true that the States Reorganisation Commission literally opened a Pandora's box. It created in the minds of various people a desire for conquest, a primordial instinct of man to extend his territory and to gather more territory for himself, and this desire manifested itself by way of presentation of claims and counter-claims over various parts of the State. It almost threatened to engulf the country in chaos. It is really a tribute to the national leadership that ultimately solved this great problem, and it has been solved to the satisfaction of the majority of the people of this country.

It was said that this is a Bill which confers multi-lingual, bilingual and unilingual States. It is not so. True to our principles of a composite economy, we have also tried to remember the principle of a composite political theory. We have some States which are unilingual, some states which are bilingual. All these States will be put on their mettle, on trial, and if the States which are bilingual in character show greater progress and better results, it will be an inducement to other States which are unilingual to emulate the example of the bilingual States and then become bilingual States themselves. If the experiment does not succeed, possibly, it is likely that the people may think of going back to unilingual States. Therefore, it is now for the country and for the people to give this Bill the best trial that is possible under the circumstances and to show also their utmost goodwill. Whatever little difficulties or whatever little disappointments that we may have, it is time that we forget them and put our shoulders to the wheel to make a success of this great experiment.

When I was listening to Shri A. K. Gopalan, it struck me that of all people on earth, it is Shri Gopalan and the people of the Kerala State that have absolutely no cause for complaint or grievance. I desire to make this very clear. On the principle that a taluk should not be divided, the Kerala State got the whole of Kasargod taluk much to the disappointment of my friends from Mysore and Karnataka. At the same time, even though a taluk should not be divided, a portion of the Shencottah taluk was divided and the hill portion was given to Kerala on the ground that it was contiguous to them. The other principle enunciated by the Commission is that if more than 70 per cent of the people speak one language, it should be declared as unilingual. It was found by the Commission that the Devikulam taluk

[Shri Venkataraman]

had more than 72 per cent of Tamil-speaking people and still it was not given to Madras, because they said it was a migratory population. Therefore, on all issues they have scored a tremendous success. I wish them well; let them not, of all people on the earth, complain that they have any cause for grievance.

Shri Gadilingana Gowd (Kurnool): The complaint applies not only to Kerala, but to the whole of India.

Shri Venkataraman: He said, "the people of Kerala are thoroughly disappointed". I want the people of Kerala to know that they have succeeded on all grounds.

The other point to which I would like to refer is the settlement of the various border disputes. It is a matter of great importance to all of us that the border disputes should be settled. Before the S.R.C. was appointed and before this Bill was presented, attempts were made by the Madras Government to settle their differences in respect of the border with the Andhra Government. Even in 1953, when the Andhra Act was passed, it was agreed between the parties that border areas could be settled by mutual discussion. They had made fairly good progress in the course of the discussion. It is only when the Bill came and when it was found that border disputes related not only to Andhra and Madras but to other areas as well that the Andhra Government withdrew from the conversations and said, "let it be decided on the basis of the principle to be enunciated for all border disputes". That itself shows that if you do not have any authority to settle the dispute, it does not follow that the dispute will not be settled at all. On the contrary, if there is no authority, they would come together and try to settle the disputes and the differences will be narrowed further and further. After the zonal councils come into existence, it will be possible to settle the various border disputes wherever parties can meet together and come to an agreement. In this connection, I desire to mention that a small mistake has occurred in a border in respect of the Shencottah taluk. I have a letter from the Chief Minister of Madras where it is said:

> "It has since been brought to my notice that not only the areas in Puliyara village but also parts of Shencottah and Achambathur villages have also been arbitrarily treated as Puliyara Hill Pakuthy. I, therefore, suggest that the Travancore-Cochin Government may be moved to cancel their notification reconstituting the Shencottah taluk and the question may be taken up afresh and the line of demarcation drawn up after a joint inspection by the officials of the two Governments."

I mention this as an instance in point to show that wherever there are such differences, the approach should be for the respective Governments to meet and try to settle them between themselves; then only they should think of some other authority. We, lawyers, never stop with the court of original jurisdiction where we have appellate courts. The more we increase the appellate jurisdiction, the greater is the litigation. It is not good to have more and more litigation in respect of border disputes.

There is one other small matter. Yesterday an amendment was introduced by Shri Datar with regard to the representation in the Council of States. In the Joint Committee the principle was accepted that where a Member was enrolled as a voter in a particular State, he should be allocated to that State. One Member, out of the 18 Members representing Madras, is enrolled as a voter in South Kanara and he was, in accordance with the Joint Committee's report, allocated to the State of Mysore. But yesterday the Government suddenly moved an amendment and removed that particular clause. The result is that the Member, who is enrolled as a voter in South Kanara, will be representing

the Madras State. As far as that particular Member is concerned, we have the highest regard for him and we have no objection. But this is a matter of principle and I desire that the Government should look into it and see how a Member enrolled as a voter in one State could be asked to represent in the Council of States the other State.

The final result of this reorganisation of States is that the number of States is being reduced; now we will have only 13 States and 4 Centrally administered areas. That itself is a grea. step towards the greater unification of the country. If, by virtue of the experience people gain by the bilingual State of Bombay, larger States come into existence, then the number of States will be reduced further. We are really proceeding in the right direction and I would like to say that the experiment should receive the utmost co-operation of every section of this House.

Lastly, I have to say that even though during the progress of the Bill there was considerable heat and a great deal of conflict, now towards the end, we find that apart from a few stray instances of dissatisfied people, it has commanded the confidence of not only Members of this House, but the country at large. I support whole-heartedly the Bill before this House.

Mr. Speaker: I would like to know the views of the House. We allotted three hours for the third reading and, therefore, I will have to call upon the hon. Minister to reply at 3 o'clock, so that we may conclude this debate by 3-30 when the House will take up the non-official business. If on the other hand, the House is inclined to sit for half an hour more till 6-30.....

Several Hon. Members: No, no.

Mr. Speaker: Then, I call upon the hon. Minister to reply.

Pandit G. B. Pant: I have no intention of inflicting any speech on the House in the course of this final stage. I have already taken up a lot of the time of the House; I had only one intention that I wanted to carry out and I propose to do so now. I am grateful to the House for the way in which it has co-operated with the Government in improving this Bill. In fact, while we were applying our minds to the clauses of this Bill, whether in the Joint Committee or in this House, for some time all party differences were eliminated, and it appeared that all Members were inclined to look at the problems which arose out of this Bill in a rational way on their merits without any prejudice and uninfluenced by extraneous considerations. I value that spirit and I cannot but appreciate the assistance which I have received from the Members of various parties in the Joint Committee and here in this House.

I regret to find that still in some minds there is a feeling of frustration about this Bill. The Members opposite have been oppressed either by the sense of our success or their failure. But whatever it be, when I review the situation, I find that we have achieved much more than anyone could have expected from us ten months ago, when the report of the States Reorganisation Commission was published. As hon. Members might be remembering, it was exactly on the 10th October last year that the report saw the light of day and it is just on the 10th August this year that we are reaching almost the end of the journey, so far as this august House is concerned.

Look at the picture and see really if the proposals that we have made do not satisfy the people of the country or the inhabitants of the States concerned. Let us start from the South. Someone mentioned Tamil Nad. Is there any sense of dissatisfaction anywhere in Tamil Nad?

3. P.M.

Some Hon. Members: No.

Pandit G. B. Pant: So far as I am aware, Tamil Nad is fully satisfied with the proposals contained in the Bill.

Take again the big State of Karnataka which will consist of Mysore and so many districts which have been amalgamated with Mysore from Hyderabad and from Bombay. I am really happy to feel that this State is going to be launched with the unanimous approval, support and blessing of the people living in Karnataka. Is there any indication of failure or any sense of resentment or dissatisfaction?

Let us then go further and see Kerala itself.

Shri Gopalan, I think, is interested in Kerala.

Shri A. K. Gopalan: Certainly.

Pandit G. B. Pant: Has it not been the desire of Kerala that it should be carved into a separate State and has it ever wished to have more than what is assigned to Kerala?

Shri A. K. Gopalan: I only referred to the President's rule.

Pandit G. B. Pant: The dissatisfaction is not about the reorganisation but about the President's rule. For that the responsibility is not mine. It is that of the people of Kerala.

Shri A. K. Gopalan: No. It is not the responsibility of the people of Malabar. But you are punishing them.

Pandit G. B. Pant: If the majority of the members of the Kerala Legislature were in agreement, we would have been able to run the State in a democratic way. But they have been quarrelling; they have been squabbling in a way which has resulted in the Kerala Legislature being split up into groups, none being in a majority....

Shri A. K. Gopalan: And the Congress is fighting each other.

Pandit G. B. Pant: Well, groups opposed to the Congress occasionally succeed even in invading the Congress with their disruptive tendencies. But I am not concerned here with the reorganisation part of the State, so far as that goes, Mr. Gopalan is satisfied.

Now, let us go further. There has been a battle royal over the reorganisation of the Bombay State. The question of Bombay has been really the centre of controversies during these many months. We have not been able to find a satisfactory solution. Ultimately, a solution was found, a solution for which this House in particular deserves hearty congratulations, a solution which I had the privilege of regarding not as a party but as a national solution. That solution is there. Many congratulatory messages have been received by Shri Deshmukh, as he said, though he had not voted for that clause himself; and we had also the privilege of getting a number of telegrams from many quarters.

Shri A. K. Gopalan: We have also got so many telegrams against it.

Pandit G. B. Pant: I think you are always judging things against. What I am saying is this: there had been a tense atmosphere even in this House while this Bombay problem was proving almost intractable and insoluble. That tension has disappeared. There is a general feeling of goodwill, an earnest desire to accommodate each other, to wipe away the sad memory of the evil day and to settle down to business in a neighbourly, friendly and comradely manner. The zeal and spirit which are inspiring the people today were blessed by my friend Mr. Gadgil. So, that too is a solution over which we can congratulate ourselves.

Go further and approach Rajasthan. Has there been any dissatisfaction in Rajasthan because of the reorganisation proposals?

About Punjab, leaving aside Maha Punjab which is not even little Punjab and the Hindu Mahasabha, which has hardly any credit left now if it had ever any, is there anyone in Pun-

jab who is opposed to the proposals that were evolved for ensuring the co-operation of the two great communities living in the Punjab? Mr. Chatterjee is not here. He had suggested at a time that there should be two sub-federations in the Punjab and a common federation binding the two. Would that have been better than the regional formula? I would earnestly ask him to reconsider the position and then to tell us whether what we have evolved is not hundred times better than what he was himself going to propose.

Then he has been speaking about democracy. At the same time he wanted Himachal Pradesh to be merged in the Punjab. He was also referring to the S. R. C. Report. Does he not know that the Chairman of the Commission was opposed to the merger of Himachal Pradesh? Does he not know that there is not a single man in Himachal Pradesh who is in favour of its merger with Punjab? Then, would it have been a really democratic act? Would we have acted in accordance with the wishes of the people of Himachal Pradesh if we had pushed it into Punjab against the wishes of the people of Himachal Pradesh? These democratic instincts are hardly compatible with the tenets of Hindu Mahasabha. About Punjab we have found a solution which is certainly satisfying to by far the majority of the people living in the Punjab.

Then we come to the big State of Madhya Pradesh. This is going to be formed for the first time and it will have within its borders now the territories of four States—Madhya Bharat, Vindhya Pradesh, Bhopal and Mahakoshal. Has there been any word of murmur against it anywhere? Has there been any resentment or dissatisfaction?

Shri A K. Gopalan: What about Gujarat?

Pandit G. B. Pant: Well, you have now shifted your ground from Bombay to Gujrat. We will see the results that will ensue. We thought you had greater interest in Bombay.

Shri A. K. Gopalan: We have even now interest in Bombay.

Pandit G. B. Pant: So far as Gujarat goes, the leaders of Gujarat, every member representing Gujarat in this House, has supported this proposal. Would Mr. Gopalan say that he is a member for his constituency but that he does not represent his constituency and that he should like to offer other people for serving as mouth pieces for the territories which he represents? What is the position of the member of Parliament?

Shri A. K. Gopalan: What is a bilingual State? If the U. P. members can sign a memorandum about Bombay I can also speak about them.

Pandit G. B. Pant: I do not say that you have no right to speak. But don't go beyond the speech. So far as that goes I submit that every member of this House has the right to express his opinion about every matter. But Mr. Gopalan said that the opinion of the people of Gujarat should not prevail where Gujarat is concerned. So I say then: should we be guided by the opinion of the Members of Parliament who represent Gujarat or by his opinion?

Shri A. K. Gopalan: I only want to know whether there is any resentment among the people of Gujarat.

Pandit G. B. Pant: So far as the opinion of the people of Gujarat is concerned, I am satisfied that it is in favour of the bilingual State of Bombay. It is merely because the majority of the People are in favour of this proposal that the small, insignificant minority, if any, exploits the immature youths and resorts to other methods in order to over-awe the majority and to prevent it from enjoying the privileges to which it is entitled as a majority. Otherwise, one

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would not go beyond constitutional methods. If one has a majority, one would not have recourse to violence. It is only because that one has not a majority in a place that one then takes recourse to methods which are unconstitutional, undemocratic and violent. So, that indicates that the people of Gujarat are in favour of the proposal that is contained in the Bill.

Then there is Andhra which is going to be big now and which had been small so far. Telengana is being merged with Andhra and we will have an Andhra Pradesh. Is anybody in Andhra dissatisfied with this arrangement, even any of the Members sitting opposite belonging to Andhra? Then where is the dissatisfaction? What have we done to create such a furore on the other side?

Shri Gadilingana Gowd: Only about the boundary commission.

Pandit G. B. Pant: I want to learn some of the very savoury epithets used by Professor Mukerjee, but I will have to sit at his feet, I think, for many, many years before I can swallow even one of them. So far as I am concerned, my vocabulary is, I think, defective as well as mild, but I listened to him with the respect that a professor deserves. And with the knowledge that he has of the language, it is not surprising if he is as familiar with words which we do not know as with words which we happen to know. Shri Chatterjee once said that he had quoted the scripture. I do not know if Shri Mukerjee remembers the adage. He did quote the scripture today, not once, not twice, but a number of times. In which capacity he was doing it he alone knows.

So far as Shri Chatterjee goes, he claims to be a better Congressman than we poor people who have been associated with the Congress for more than 55 years of our life. He claims to know more about the Congress ideology, the Congress policy and the Congress creed than any of us can pretend to know. I am not surprised to see the alliance between Professor Mukerjee and Shri Chatterjee. Opposites attract each other, but when they contact each other, conflagration follows. So, so long as there is some distance between the two still, we should not be afraid of any grave disaster, but if they come closer still, then I am afraid the conflagration may cause disaster not only to others but to themselves because when a conflagration follows, the thing which creates the conflagration is itself reduced to ashes. So, I am not surprised at their coming nearer. Only they must beware of the future and of the danger that lies ahead.

Some remarks were made by Shri Deshmukh. I would not like to reply to his arguments in detail because this is not the stage meant for that, but he referred to zonal councils and said they are not flexible. Can anything be more flexible than a council, the decisions of which are not binding on anybody and are only of an advisory character? What is rigid about it I cannot see. Then he said that the principles that have been laid down in the States Reorganisation Commission report for the guidance of those who may have to deal with such problems hereafter are not very sound. They may not be. I do not claim to be an expert in these matters, but I know that Shri Deshmukh himself was in favour of a uniform application of those principles, and it was in accordance with his advice that these principles were applied to Belgaum, Karwar, Supa, Halyal and every other place. So, if we have not changed overnight, we are not very much to blame. We still continue to sit where we were and so our mind continues to work as it did. So, there might be, I think, some difficulty in our undergoing a metamorphosis so speedily.

Some friends also raised some sort of objection—a gentle and mild

word—to our having settled down to this bi-lingual formula for Bombay in the course of one or two or three days. We are ever in the quest of the right and the true. Whenever we can grasp it we are prepared to avail ourselves of the benefits that can accrue from it. That has been our policy and it will continue to be our policy. We do not wait to condemn a man till he is dead. We like to criticise a man if he goes wrong while he is alive and not after he has been buried and has been in the grave for some years. Similarly, we are prepared to revise our decisions if we find that better substitutes can be found in a day, in two days, in ten days, in twenty days. We are not Fascists in our methods. Our Prime Minister ever keeps an open mind and I do not think any other statesman can be found with such a rational attitude towards problems. I myself do not enjoy that privilege I must confess, but whenever in the case of this reorganisation problem we found that a better substitute could be found we have accepted it readily. Ultimately we are guided by one principle and that is this. We have to serve our people. We cannot afford to perpetuate a wrong if we become conscious of having done a wrong. It is not a question of our prestige. What is our prestige? What is the prestige of an individual or of a dozen individuals? We are here to serve 380 million people. Our prestige lies in our success in however small a degree it may be in serving them satisfactorily and in achieving some little success in removing the many hardships and difficulties from which they have been suffering for ages. It is only that which guides us, and it is only that ideal which we place before ourselves for the regulation of our own conduct and we will continue to do so.

Some other remarks have also been made here and there, but I do not think it necessary at this stage to reply to every small point. In fact, this is the stage when we have to take a wide sweep of the whole panorama before us that has been unfolding during the last seven or eight months.

We have had many difficult days. We were surrounded by gloom on many an occasion. Light was not visible not only near us but even far away. The sun of reason was clouded. There were mists all round. Luckily, we have got over all that. They have been dispelled and today we start our new career with hope and faith.

We do not suggest, and we are not vain enough to think that what we have done is perfect. There is no perfection in affairs of life, but we can claim that we have made every effort to reduce imperfection to the minimum degree. And I respectfully and humbly submit that we have succeeded in that effort.

I will only appeal to the people of Gujarat. I will only appeal to the young friends, who are the hope not only of the future but also of tomorrow. After all, the labours of the Prime Minister cannot be of abiding benefit to the country, unless the youth who will follow him are worthy of the mantle that they have to carry, and can carry the torch of light forward so that this country may have enlightenment as well as prosperity. So, our hope rests on those youths. It is extremely disappointing, it makes one really sad that they should be easily led away. The young men are by nature emotional. They respond to an appeal for sacrifice. Courage and bravery are their usual characteristics. So, I appeal to them not to allow themselves to be led away like that. It is a matter of immense sorrow to us that the credit of Gujarat, the good name and reputation of Gujarat should have been besmirched by the happenings of the last two or three days. Nobody could have ever dreamt that people in Gujarat could be carried away by their sentiments to such an extent as to have recourse to arson, to assaults, to the burning of public property, to the smashing of street lights and all that. It is a

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matter of great sorrow to us. We can only hope that the memory of this evil day will not linger, and that there will be no repetition of this orgy of violence again in that great State, to which we have always looked for inspiration, and especially for the preservation of a truly non-violent generous and friendly spirit in the entire country.

I appeal to hon. Members now to welcome this Bill with friendliness, with generosity, and with a determination to make it a success. A statute that has been passed by Parliament, that carries with it not only the support of many Members of a particular party, but virtually of the entire House, deserves still greater respect than an ordinary Act that may be passed now and then. This States Reorganisation Bill, which, I hope, will soon become an Act, can claim that it has behind it, the goodwill, the support and the blessings of the entire House and also of the great leaders outside.

So, let us pledge ourselves to apply ourselves constructively to the implementation of this Bill. And in order that we may succeed in that effort, let us create the proper atmosphere, an atmosphere of charity, of goodwill, of generosity, of friendliness, and of comradeship in the country.

Mr. Speaker: I shall now put Shri Venkataraman's amendment to vote.

The question is:

That for the amendment moved by Pandit G. B. Pant, printed as No. 607 in List No. 50 of amendments, the following be substituted:

Page 4, *for* lines 1 and 2 *substitute*:

"(b) the territories comprised in the Agastheeswaram, Thovala Kalkulam and Vilavancode taluks shall form a separate district to be known as Kanya Kumari district in the State of Madras; and

(c) the territories comprised in the Shencottah taluk shall be included in and become part of Tirunelveli district in the State of Madras."

The motion was adopted.

Mr. Speaker: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

Mr. Speaker: There are about five minutes more to 3-30 P.M. Shall we dispose of the River Boards Bill in five minutes?

Shri K. K. Basu: Let us adjourn for five minutes, and then take up Private Members' Bills.

Mr. Speaker: All right. Why not we adjourn for five minutes and reassemble at 3-30 P.M.

3-27 P.M.

The Lok Sabha then adjourned till Half Past Three of the Clock.

The Lok Sabha re-assembled at Half Past Three of the Clock.

[MR. DEPUTY-SPEAKER *in the Chair*]

CODE OF CIVIL PROCEDURE (AMENDMENT) BILL*

श्री म० ला० द्विवेदी (जिला हमीरपुर): मैं प्रस्ताव करता हूं कि सिविल प्रोसीज्योर कोड, १९०८ में और आगे संशोधन करने वाले बिल को पेश करने की अनुमति दी जाय ।

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Code of Civil Procedure, 1908".

The motion was adopted.

श्री म० ला० द्विवेदी : मैं बिल को पेश करता हूं ।

*Published in the Gazette of India Extraordinary, Part II—Section 2, dated 10-8-1956, pp. 669-670.

INDIAN PENAL CODE (AMENDMENT) BILL

(Amendment of Section 497)

Mr. Deputy-Speaker: The House will now proceed with further consideration of the following motion moved by Shri Dabhi on the 27th July 1956:

> "That the Bill further to amend the Indian Penal Code, 1860, be taken into consideration".

Out of 2 hours allotted for discussion of the Bill, 47 minutes were taken up on the 27th July 1956, and 1 hour and 13 minutes are still available.

Shri K. K. Basu may continue his speech.

Shri K. K. Basu (Diamond Harbour): Mr. Deputy-Speaker, Sir, the other day when we were on this Bill, my objection for opposing this Bill was mainly in view of the condition in our country, where we have not come to that stage where we can apply the principle of equality without any reservation. Nobody in the House wishes that this social crime should be indulged in by any member of the community. But we have got to realise the conditions—the social conditions—prevalent today. It is true, as I was saying the other day, that even in the case of the Hindu law of succession, when we have tried to lay down the law of succession of illegitimate children, we have tried to debar them generally from inheriting the property of the persons who were responsible for their birth. We have restricted it to mother's property.

Apart from this, we know full well that in spite of a provision in the Constitution that there is no difference recognised on account of sex, in society today because of our past backwardness or past condition, we still find there are differences. Let us take the composition of the House. Out of 500 Members, how many women Members are there? It is not because they are incompetent, but because we have not come to that stage wherein many of our sisters and mothers find time or have the inclination to come to this Parliament to represent the country or the constituencies of the States from where they come. Take the case even of the ever-mounting geometric progression of the members of the Cabinet. Even today, they have only one Cabinet Minister and one Deputy Minister representing the fair sex. It is not because there is a dearth of talent, but because of the condition of our society which has grown in such a way that apart from the initial appointments made in 1952, when new appointments are made, we hardly find any representation from that section of the community.

Similarly, among our Ambassadors, we find only one woman has been selected so far.

Shri Tek Chand (Ambala-Simla): On a point of order. What has all that got to do with adultery?

Mr. Deputy-Speaker: He is trying to connect it in this way, that conditions in this country have not come to that stage where women can be treated equally with men. We are not treating them in other spheres equally. Why should we enforce this equality here? This is the argument of the hon. Member.

Shri Tek Chand: Is it not an offence for men?

Mr. Deputy-Speaker: He may differ from him.

Shri K. K. Basu: Thank you very much. I was saying that we have not come to that stage when there can be this sort of equality for punishment between man and woman.

[Shri K. K. Basu]

Let me give one more example. If my hon. friend, Shri Tek Chand, had gone—before the new law was passed—and remarried or married a second time—I do not mean to say that he would do it—against the wishes of society, what would have happened? On the other hand if any woman would have done so, what would have happened? So, the condition of our women has not come to that stage when there can be equality of this kind.

Then take the case of widow remarriage. This law was passed 80 years ago. What is the number of widows who have remarried, in spite of the fact that this law has been there for such a long time?

We are all against this social vice. But if we want to extend this theory of equality of sexes, we must realise the background of our society and the background of the environment prevalent in our country. Therefore, I would like to tell the Mover, Shri Dabhi, that the time has not yet come when we should have this particular legislation in the statute-book of our land. Of course, these social vices and aberrations should not be indulged in. But we cannot base our argument on the theory of equality of the sexes for inflicting a punishment of this character.

Therefore, I would urge Shri Dabhi to withdraw the Bill. When the time comes for it, Parliament will certainly take notice of it considering all the prevalent conditions, and make the necessary amendment in the law, needed at that time.

Shri M. D. Joshi (Ratnagiri South): I have given notice of an amendment.

Mr. Deputy-Speaker: I will come to that.

Shri Raghubir Sahai (Etah Distt.—North-East *cum* Budaun Distt.—East): Mr. Deputy-Speaker, Sir, I am very grateful to you for having given me an opporunity to speak on this Bill. I admire the pertinacity of my hon. friend, Shri Dabhi, for having brought forward this Bill once again before the House. It was in 1952 that he introduced a similar Bill in this House and, as he said in his opening speech, it was at my suggestion, as well as that of Shrimati Jayashri, that he was pleased to withdraw that Bill. And, we are grateful to him for having made that response. I may have to make a similar request on this occasion as well that he may be pleased to withdraw the Bill.

In introducing this Bill, he gave us certain very strong reasons according to him, for the adoption of this Bill. One of his reasons was that the authors who framed the Indian Penal Code, at the time of the introduction of the Code, gave certain reasonings with regard to the enactment of this clause; also with regard to the sub-clause that was introduced in section 497 that women should not be held guilty of any offence under section 497 or that they may not be punished. Those reasonings do not hold good now.

Another reason that he put forward was that now polygamy has been abolished and monogamy has been introduced and that the system of divorce has also been introduced.

Lastly, he referred to the provisions in the Constitution whereby it is strictly enjoined on us that there should be no discrimination between one sex and the other.

I would take these arguments seriatim. So far as the authors' commentary goes, I have no hesitation to say that many of the reasons that had been advanced by them then do not hold good now. But that cannot be said with regard to all the reasons that they had given. For instance, the state of literacy so far as our women are concerned in India at present is not satisfactory. Even now, although we have advanced to a very great extent, it can be said that our womenfolk, especially in rural areas, are not educated enough and the argument then advanced holds good even now.

It is true that by the enactment of the Hindu Marriage Act of 1955, polygamy has been abolished and monogamy introduced and the system of divorce has also been introduced. But, how many months have elapsed since that Act was passed and have we seen the reactions of that Act or have we seen the effects of that Act in the country? Has that Act changed our social customs, manners or ideas about social reforms? Let us wait and see how the Act is going to be enforced, whether it produces any social change in our habits and in our customs or not.

Then, he also brought forward the provisions of the Constitution. It is quite true that in articles 14 and 15 it is provided that there should be no sex discrimination. But I would request that the articles of the Constitution should not be stretched too far. With your permission, I will invite the attention of the House to the provisions of article 15 of the Constitution. You will find that in clause (3) it is provided that—

> "Nothing in this article shall prevent the State from making any special provision for women and children."

Now, what for has this provision been introduced, if not for the consideration that women require protection? Even in the Indian Penal Code we find a similar provision with regard to children. Before law courts, there may be no sex discrimination. But it cannot be said that our females or womenfolk have acquired all those qualities which menfolk possess. The state of literacy, as I said just now, is deplorable amongst women. Their helpless condition, their being of a weak nature, and their dependence all these things require such protection.

My hon. friend, Shri Tek Chand, in his usual vigorous and vehement style, the other day, quoted one example. I do not wish to repeat that example. But even if that example is said to be correct, does he mean to say that adultery is so prevalent in this country as he makes it out to be?

Shri Tek Chand: Sir, it was not an example; it was an illustration to support the logic of my contention.

Shri Raghubir Sahai: That was only one example. I say that from that one example it cannot be inferred.....

Mr. Deputy-Speaker: The hon. Member (Shri Tek Chand) gave here only an illustration and yet the hon. Member took it as an example.

Shri Tek Chand: It was not a precedent.

Pandit K. C. Sharma (Meerut Distt.—South): It was not a fact.

Shri Raghubir Sahai: I stand corrected. It was an illustration. But that does not prove the rule, that adultery is so common in this country or that in a case of adultery it is always the woman who lures. I think that illustration.....

The Minister of Defence Organisation (Shri Tyagi): Talking from personal experience!

Shri Raghubir Sahai: I think that illustration does not make the case for the adoption of this Bill a strong one. In my own humble view, our womenfolk require protection still. If the worst happens and if, in a particular case, it is proved that it was the woman who was responsible for the case of adultery, well, now, under the Hindu Marriage Act, it is open to her husband, after getting that culprit convicted, to divorce that woman. By making this change, why do you compel the woman also to be convicted and be sent to jail? If she is divorced, she will have all the public opprobrium upon her and I think that will be sufficient punishment for her.

Sir, I do not think that the time is yet ripe for making this change in the Indian Penal Code. And, I would ask my friend Shri Dabhi who is very sober, very wise and very discreet, to think a hundred times

[Shri Raghubir Sahai]

before he insists on the adoption of this Bill.

I hope he will be pleased to withdraw it this time as well as he did last time.

Shri M. D. Joshi: My amendment is that the Bill be circulated for the purpose of eliciting public opinion thereon by the 10th November, 1956.

Mr. Deputy-Speaker: I have seen the hon. Member's amendment, but my difficulty is that it is too late now to allow the amendment. The hon. Member perhaps gave notice on or about the 7th because it is printed in the list dated the 8th.

Shri M. D. Joshi: Two days back.

Mr. Deputy-Speaker: We started the discussion of this Bill last time and five Members have already spoken—Shri Dabhi, Shrimati Jayashri, Shri Sharma, Shri Tek Chand and Shri K. K. Basu, who continued his speech today. In that case, I can only allow this amendment if the Government is prepared to accept it; otherwise it will not be permitted.

The Minister in the Ministry of Home Affairs (Shri Datar): I am not accepting it.

Mr. Deputy-Speaker: I am sorry then the amendment is ruled out.

Shri M. D. Joshi: I would like then to speak on this Bill.

Mr. Deputy-Speaker: He will have his turn and he will be called.

Shri Dabhi (Kaira North): Before the discussion commenced today, he has given notice of his amendment. Can he not be permitted to move his amendment?

Mr. Deputy-Speaker: Suppose it is already discussed and only the reply is to be given, does the hon. Member mean that he has a right to send in a motion to have it circulated for eliciting public opinion thereon? That is not the case. I now call on Pandit Bhargava. As time is short, let hon. Members be brief as I wish to accommodate four or five speakers on this Bill.

पंडित ठाकुर दास भार्गव (गुड़गांव) : मिस्टर डाभी साहब का बिल पढ़ कर मुझ को यह खयाल हुआ कि हम ने अपने कांस्टीट्यूशन (संविधान) में जो औरतों और मर्दों की बराबरी का सिलसिला रखा है वह बहुत दूरी तक जाने वाला है । लेकिन जब मैं ने दफा (धारा) ४९७ ताजीरात हिन्द को गौर से पढ़ा तो मैं ने देखा कि इस में तो ईक्वालिटी (समानता) की कोई ऐसी चीज नहीं है जिस के लिये कि डाभी साहब कानून में तरमीम करवाना चाहते हैं । जनाब अगर दफा (धारा) ४९७ को देखें तो मुलाहिजा फरमावेंगे कि यह एक अजीब तरह की दफा है । इस में शुरू में ही लिखा है :

"Whoever has sexual intercourse with a person who is and whom he knows or has reason to believe to be the wife of another man.."

इस में जो जुर्म दिया गया है उस के साथ जो नामिनेटिव है वह मर्द है । वह ऐसा जुर्म है जिस को मर्द ही कर सकता है, वह ऐसा जुर्म नहीं है जिस को कि औरत भी करे ।

Shri Tek Chand: Is it a unilateral offence?

पंडित ठाकुर दास भार्गव : आप सब्र कीजिये मैं बतलाता हूं । आज कानून क्या है ? आज अगर एक शख्स, चाहे वह ब्याहा हुआ हो या बिना ब्याहा हुआ हो, किसी दूसरे की बीवी के साथ एडल्टरी (व्यभिचार) करे तो वह मुजरिम है, लेकिन अगर कोई ब्याहा हुआ आदमी किसी अनमैरिड गर्ल या विडो के साथ सेक्सुअल इन्टरकोर्स (सम्भोग) करे तो कोई जुर्म नहीं है । जहां तक मैरीटल रिलेशन्स (वैवाहिक सम्बन्ध) का सवाल है यह बीवी के बरखिलाफ जुर्म

कि एक आदमी वैडलाक (विवाहित अवस्था) में होते हुए भी किसी गैर औरत के साथ जा कर मुजामअत (सम्भोग) करे। लेकिन अभी तक मेरे दोस्त ने ऐसी कोई तरमीम पेश नहीं की है कि जिस में यह कहते कि एक औरत और एक मर्द में एक तरह का मुआहिदा है कि जब तक उन की शादी कायम है एक मर्द दूसरी औरत के पास नहीं जा सकता। लेकिन यह उन का बिल नहीं है। उन का बिल तो यह है कि कोई शख्स जोकि चाहे शादीशुदा हो, अगर वह जा कर किसी विडो के साथ या अनमैरिड गर्ल के साथ इंटरकोर्स (सम्भोग) करे तो कोई जुर्म नहीं है। तो मैं अदब से अर्ज करूंगा कि कोई चीज ईक्वालिटी (समानता) की नहीं है। ईक्वालिटी (समानता) के लिहाज से अगर कोई विवाहिता स्त्री रंडवे या कुंवारे से अडल्टरी (व्यभिचार) करे तो जुर्म न होना चाहिये। और फिर क्या जुर्म है ? लिखा है :

"Without his consent or connivance"

यानी अगर उस के खाविंद की मर्जी हो तो भी कोई जुर्म नहीं है।

श्री त्यागी : अरे क्या बात करते हो।

पंडित ठाकुर दास भार्गव : हमारे त्यागी जी को इन रमूज से क्या मतलब। उन को क्या खबर कि दुनिया में क्या होता है। लेकिन सेक्शन (धारा) में यह लिखा है : "without his consent or connivance" अगर आप को यह चीज पसन्द नहीं है तो इस सेक्शन ४९७ को हटा दीजिये। लेकिन जब तक यह कायम है तब तक तो इस के मानी यही हैं कि एक शादीशुदा औरत के पास जाना उस के खाविंद के खिलाफ जुर्म है, औरत के बखिलाफ नहीं है न सोसइटी के बखिलाफ है। तो मैं निहायत अदब से अर्ज करना चाहता हूं कि जहां तक ईक्वालिटी का सवाल है, दफा ४९७ में ईक्वालिटी का सवाल पैदा ही नहीं होता। और इस का उन्न न करें तो अच्छा है।

मैं जानता हूं कि हमारे धर्म शास्त्रों के अनुसार और हिन्दू और मुसलमानों के परसनल ला के अनुसार पुराने जमाने में अगर कोई औरत इस तरह से बिहेव कर ती थी तो उस को सजा दी जाती थी।

Shri Tek Chand: Punishable with death.

पंडित ठाकुर दास भार्गव : अगर आप यह कहते हैं तो मैं आप की तवज्जह क्राइस्ट साहब की एक मशहूर कहानी की तरफ दिलाना चाहता हूं। एक दफा एक ऐसे शख्स को उन के पास लाया गया और कहा गया कि इस आदमी ने अडलट्री (व्यभिचार) का जुर्म किया है इस को सजा दी जाये। उन्हों ने कहा कि इस को पत्थर मार मार कर मार दिया जावे, लेकिन इस के वही आदमी पत्थर मारे जोकि कभी इस जुर्म का मुर्तकिब न हुआ हो। और नतीजा यह हुआ कि उस को पत्थर नहीं मारे गये।

इस को छोड़ दीजिये कि पहले जमान में क्या होता था। अगर आप ईक्वालिटी की ही बात करते हैं तो मैं कहता हूं कि सैकड़ों और हजारों वर्ष तक हमारे देश में औरतें अपने मरे हुए पति की चिता में जलती रही हैं। अगर आप ईक्वालिटी की बात करते हैं तो सिर्फ ५० साल तक ही अपनी मरी हुई औरतों के साथ जल के दिखा दीजिये। इस के अलावा हजारों बरस से आप जानते हैं कि औरतों की फाइनेन्शल पोजीशन क्या रही है। अगर आप ईक्वालिटी चाहते हैं तो कुछ अर्से के लिये लड़कों के बजाय लड़कियों को कोपार्शनर (समांशी) बनने का हक दे दीजिये और फिर देखिये कि क्या होता है। तो जहां तक ईक्वालिटी का सवाल है, कभी औरत और मर्द में न ईक्वालिटी

[पंडित ठाकुर दास भार्गव]

थी और न अभी बहुत बरसों तक आने वाली है ।

अब सवाल यह पैदा होता है कि आखिर इस जुर्म को किस निगाह से देखा जाये । इस हाउस में कोई ऐसा शख्स नहीं होगा जोकि यह कहे कि ऐसा फेल करने वाला, आदमी या औरत जुर्म नहीं करती । लेकिन सवाल यह है कि औरत को इस जुर्म में सजा दी जाये या नहीं । मेरा यह कहना नहीं है कि यह फेल कर के वह जुर्म नहीं करती । सवाल सिर्फ यह है कि उस को अबेटर (दुरुत्साहक) करार दिया जाये या नहीं । इस के बारे में मैं सब से पहली चीज यह अर्ज करना चाहता हूं कि ९९ केसेज में औरत की तरफ से जुर्म की शुरूआत नहीं होती, बल्कि मर्द की तरफ से होती है । बहुत कम केसेज ऐसे होंगे जिन में कि औरतें ऐसे फेल के initi tive की मुर्तकिब होती हो । मैं जानता हूं कि इस गिनती में कुछ प्रास्टीट्यूट्स (वेश्यायें) आ सकती हैं या वे औरतें आ सकती हैं जिन को कि उन के नीच आदमी अपना कुछ काम करवाने के लिये दूसरों के पास भेज देते हैं । लेकिन इन एक्सेप्शन्स (अपवाद) के लिये आप क्यों उस कानून को जो बहुत बरसों से हमारे यहां चला आ रहा है तबदील करवाना चाहते हैं । सवाल यह नहीं कि यह फेल जुर्म है या नहीं । मैं नहीं कहता कि यह कोई बुरा फेल नहीं है । सवाल यह है कि जो चेंज करवाना चाहते हैं वह चेंज जरूरी है या नहीं ।

मैं जनाब की तवज्जह (ध्यान) एक और चीज की तरफ दिलाना चाहता हूं । हमारे हाउस ने एक कानून पास किया है, हिन्दु ला आफ मैरिज । उस के अन्दर एडल्टरी (व्यभिचार) को काफी अहमियत नहीं दी है । उस में यह करार दिया गया है कि सिंगिल ऐक्ट आफ एडल्टरी (व्यभिचार का एक कार्य) डाइवोर्स के लिये काफी वजह नहीं है । मैं अदब से अर्ज करना चाहता हूं कि जब आप अपने सिविल कानून बनाने में एडल्टरी को इतना बुरा नहीं समझते और एक सिंगिल ऐक्ट आफ एडल्टरी को डाइवोर्स (विवाह-विच्छेद) का बेसिस नहीं मानते, तो फिर आप किस तरह से कह सकते हैं कि इस जुर्म में औरत को एबेटर (दुरुत्साहक) करार दे दिया जाये । जब आप ने यह ऐक्ट बनाया तो आप ने इस चीज को तबदील नहीं किया और यह चीज अब भी हिन्दू ला आफ मैरिज में मौजूद है कि : If a person is living in adultery. : उसी वक्त डाइवोस का बेसिस (आधार) बन सकता है, एक सिंगिल ऐक्ट काफी नहीं है । आप ने जब शादी का कानून बनाया तो आप ने यह शर्त नहीं रखी कि औरत वर्जिन (कंवारी) होनी चाहिये और आदमी ब्रह्मचारी होना चाहिये । इसलिये मैं अदब से अर्ज करना चाहता हूं कि क्या इन हालात में यह वाजिब है कि इस कानून को जोकि इतने बरसों से चला आता है हम चेंज कर दें ।

मैं उन वजूहात को नहीं मानता जोकि आथर्स आफ इंडियन पीनल कोड ने पीनल कोड बनाते वक्त लिखी थीं । उन्हों ने जो वजूहात लिखी हैं वे आज ठीक नहीं हैं । मैं जानता हूं कि चाइना में, फ्रांस में, पंजाब के फ्रंटिअर्स में, बलोचिस्तान में और दूसरी जगहों पर ऐसा जुर्म बनाया हुआ है, लेकिन मेरे वास्ते यह चीज काफी नहीं है । जब ६ जगह में बतलाते कि ऐसा है तो उस के मानी यह हुए कि सारी दुनिया और हिन्दुस्तान में यह जुर्म नहीं है । जो लोग कहते हैं कि फलां फलां जगह है, वे यह भी कहते हैं कि दूसरी जगह यह जुर्म नहीं है । मैं गलती करता हूं तो मैं बाकी सारी दुनिया के साथ गलती करता हूं जहां कि इस तरह की चीज को जुर्म नहीं करार दिया गया है । ऐसा

जुर्म आम तौर पर साबित होना मुश्किल है और अगर यह साबित भी हो तो हम को देखना यह है कि आज औरत को कोई सजा होती भी है या नहीं। मर्द को तो ७ साल तक को क़ैद हो सकती है, औरत को क्यों छोड़ देते हैं, यह आर्गुमेंट (तर्क) बन सकता है, लेकिन मैं पूछना चाहता हूं कि उस फेल के बाद औरत का क्या हाल होता है इस का भी आप को पता है ? पहली बात तो यह है कि बायोलाजिक्ल अर्ज (आकांक्षा) आम तौर से औरत को पहले नहीं आती, दोयम उस को कंसेप्शन (गर्भ) हो सकता है और उस के बाद वह अपने जिस्म पर कितने अर्से तक बैड एफैक्ट्स (बुरे प्रभाव) को रखती है और बच्चा अगर उस के पैदा हो जाय तो वह मेंटेनेन्स (संधारण) की जिम्मेदार है। मर्द तो यह कह देगा कि मेरा उस से कोई वास्ता नहीं है और मुझे कुछ पता नहीं है।

४ म० प०

इस के अलावा जैसे हमारे सोशल (सामाजिक) हालात हैं उन को देखते हुए हमारी सोसाइटी (समाज) में ऐसी औरत को कोई जगह नहीं मिलेगी, रिस्पैक्टेबेल सोसाइटी (सम्मानित समाज) में ऐसी औरत को कहीं जगह नहीं मिल सकेगी और उस की सोशल डिस्ग्रेस (अपमान) काफी होगी और ऐसी औरत को कोई भी रिस्पैक्टेबुल खाविंद अपने घर में नहीं रक्खेगा और ऐसी औरत की हालत नागुफ्ताबेह (अवर्णनीय) हो जायगी। अलबत्ता ऐसे आदमी जोकि बहुत नीचे होते हैं और खुद अपनी औरतों से पेशा कराते हैं उन लोगों के वास्ते अगर आप यह कहें कि उन पर सख्ती हो तो मैं उस को मानता हूं लेकिन सारी सोसाइटी के रूल्स चेंज करने के वास्ते, इतने वर्षों से जो हमारा कानून रायज है उस में इस तरह की एक बेसिक (मूल) तबदीली करने के वास्ते मैं तैयार नहीं हूं। इस वास्ते मैं अदब से अर्ज करूंगा कि जहां तक इस बिल का सवाल है मैं चाहता हूं कि इस को यहां पर ही खतम किया जाये और सारे हिन्दुस्तान भर में इस को सर्कुलेट न किया जाये। कोई जरूरत देश से इस बारे में राय पूछने की नहीं है। क्या हमें पता नहीं है कि इस तरह के बिल का लोगों के दिल पर क्या असर होगा। मैं श्री डाभी का मशकूर हूं कि वह ऐसा बिल हमारे सामने लाये और इस बिल के लाने में उन की मंशा यह है कि देश के अन्दर यह जुर्म न हो और इसी वास्ते उन्हों ने यह बिल मजूरी के लिये हाउस के सामने पेश किया है। मुझे उन के साथ हमदर्दी है और मैं भी वही चाहता हूं जो वे चाहते हैं लेकिन मेरे सामने सवाल सिर्फ यह है कि मैं अपने देश के कानून को जो इतने वर्षों से चला आया है और जिस के कि बरखिलाफ कोई सख्त शिकायत नहीं हुई, उस को मैं चेंज करूं या न करूं और आथर्स आफ़ दी कोड (संहिता के लेखकों) ने जैसा लिखा है सोसाइटी में औरतों की कंडीशन्स (परिस्थितियों) के लिहाज से पैनेल बेट (दंड सम्बन्धी जोर) डालूं या न डालूं, आथर्स आफ दी कोड ने ऐसा लिखा है। अभी हमारे देश में ऐसी हालत नहीं बनी है कि औरत और मर्द बिलकुल बराबर हो गये हों, औरत अभी तक मर्द के मुकाबले में नहीं आ पाई है। अगर मुकाबले में हो, तो मैं अर्ज करूंगा कि पहले आप उन लाज (विधियों) को चेंज कर दीजिये कि अगर मैरिड (विवाहित) आदमी कोई ऐसा फेल करे जो बीवी के मैरिटल राइटस के खिलाफ हो, तो उस को सजा हो जानी चाहिये। आप इस तरह का ला बनाइये कि अगर कोई शादीशुदा आदमी किसी ग़ैर औरत के साथ सेक्सुअल इंटरकोर्स करे, तो उस को सजा होनी चाहिये . . . . .

संसद् कार्य मंत्री (श्री सत्य नारायण सिंह): जिस की शादी नहीं हुई है वह अगर ऐसा जुर्म करे तो क्या होगा ?

पंडित ठाकुर दास भार्गव : मैं जानता हूं कि मंत्री महोदय किस गरज से इस तरह का सवाल मुझ से पूछ रहे हैं । ऐसी सूरत में कि जब एक मैरिड मैन है और दूसरी अनमैरिड गर्ल है या विडो है और उन का आपस में ताल्लुक हो जाय तो वह जुर्म है या नहीं, तो इस की बाबत मैं उन को बड़े दुःख के साथ यकीन दिलाता कि कानून यह है कि वह जुर्म नहीं है, गोकि मौरेली (नैतिक दृष्टि से) वह उतना ही रौंग (बुरा) है । हालांकि यह कानून की निगाह में जुर्म नहीं है लेकिन यह मौरेली और सोशली उतना ही रौंग है । हम सारे सोशल रौंग्स और मौरेल रौंग्स को लेजिस्लेशन (विधान) के जरिये ठीक नहीं कर सकते, इस वास्ते मैं अर्ज करूंगा कि बेहतर यह है कि इस बिल को वापिस ले लिया जाये ।

Mr. Deputy-Speaker: These words have been addressed to Shri Satya Narayan Sinha; it should not be shown that they were addressed to me.

Pandit Thakur Das Bhargava: In one of the criminal cases, I found that one of the defences was that old men are not capable of these things.

Shri Satya Narayan Sinha: That is perhaps his personal defence.

Mr. Deputy-Speaker: We accept that.

Shri M. D. Joshi: I rise to support the Bill brought by my friend, Shri Dabhi. Much has been said especially by the last speaker, Pandit Bhargava, about the condition of society in India. When the I.P.C. was first framed, the law commissioners took up a particular view. They were actuated by considerations of humanity towards the condition of Hindu women in general. They say:

> "They were married while still children; they are often neglected for other wives while still young. They share the attention of a husband with several rivals."

They were subject to the aristocratic and arbitrary rule of their husbands and therefore, it was very easy for them to be enticed by other men and to be the objects of attention of other men. Therefore, they said that it would not be proper to make a wife punishable for an act of adultery because she was so situated that it was impossible for her to resist the temptations offered by the third person. I shall quote another remark of the law commissioners:

> "We are not visionary as to think of attacking, by law, an evil so deeply-rooted in the manners of the people of this country as polygamy. We leave it to the slow, but, we trust, the certain, operation of education and of time. But, while it exists, we are not inclined to throw into a scale, already too much depressed, the additional weight of the penal law."

They considered polygamy to be an evil and so long as that evil subsisted in society, they were not willing to make the wife a party to be punished. That was the condition when they tried to draw up a code, one hundred years ago.

What is the condition today? Have we not made any advance at all? Is the condition of our sisters the same now? Education has advanced. I do not hold the view that education makes a man virtuous. On the contrary, I would say that it makes men and women more sophisticated, and the percentage of virtue and vice is practically the same. Perhaps vice is more among the educated than among the uneducated. There are very religious and very virtuous people, people who have not swerved from the path of virtue, among illiterate and uneducated people and it is the pride of Hindu society that virtuous men and women abound even in illiterate classes. So education has got nothing to do with this. It was only a question of child marriage. Child marriage has been abolished practically, at least among the literate

and the so-called higher classes, Child marriage has not been completely abolished in the rural areas. Still, when we look at this law, I feel that this remark is a standing slur on Indian society. It was the Englishmen who took pity on the Indian woman and her condition. They came to her rescue. It was all very well, But, should the law stand as it is now? I do not agree with my good friend here, Shri Raghubir Sahai, when he says that it is a question of education. It is not a question of education. It is a question merely of child marriage.

Mr. Deputy-Speaker: Members of Parliament may be referred to as 'hon. friends' and not 'good friends', because there is a danger that some Member might be referred to as 'bad friend.'

Shri M. D. Joshi: I meant only 'hon. friend' Sir.

Then, Sir, I would like to draw the attention of the House to the remarks of the commentators on the law of crime. Messrs. Rattanlal and Tirath Ram say:

> "The reasons given above for not punishing a wife as an abettor seem neither convincing nor satisfactory. It would be more consonant with Indian ideas, if the woman also were punished for adultery. Manu has provided punishment for her, and in France and China she is punished."

I do not know the present condition of China, but in the China of old she was punished. Then, they further point out:—

> "In the Punjab Frontier Districts"

The District from which my hon. friend comes.

Mr. Deputy-Speaker: But he does not come from the Frontier District.

Shri M. D. Joshi: I thought he was connected with Punjab. They say:

> "In the Punjab Frontier Districts a married woman is punishable for adultery."

I, Sir, in all humility, would urge that when we allow a law to remain in the statute-book, it should be our attempt to see that it is perfect or that it is ideal; not that it should depart from the ideas of humanity but that it should be perfect, equitable and equal to all. Here it is not equal to all human beings and equal to all Indians. Therefore, I would urge that this last sentence, namely: "In such cases the wife shall not be punishable as abettor" is rightly sought to be dropped from the section by my friend Shri Dabhi and I think that it would be only just and proper for Government to accept this Bill.

Pandit K. C. Sharma: Mr. Deputy-Speaker, Sir, I am rather amazed at the logic of my friends who support the motion and I am such more amazed at the enthusiasm and the vigour with which they put their arguments. As my hon. friend Pandit Thakur Das Bhargava has said, it is a measure which is bad in conception, because the offence originates from the man going out of the wedlock and disturbing the sanctified relation of man and wife in another partnership. It is not that the woman is going to the man and disturbing the sanctified relations of the other pair. Therefore, by the very nature of the offence it is only the doer, that is the man, who can be convicted, not the woman, not the passive subject thereof. So it is wrong in conception.

It is also bad in logic, because we know, as my friend put it, that in 99·9 per cent. of the cases it is the man who runs after the woman by the very nature of the structure of society and by the very nature of relations between man and woman. It is not the woman who runs after the man.

Not only that. It is biologically incorrect to say that, because biologically the woman is better evolved, more tender and more helpless. It is

[Pandit K. C. Sharma]

the man who is crude, stronger and an active force in human life, because the man later on separated from the parent united cell. Sir, it is the secret of love, why the man runs after the woman. Primarily in the old primitive cell both the female cell and the male cell lived together. It was after a further evolution that the female cell separated itself and that is why the male runs after the female.

Mr. Deputy-Speaker: The hon. Member is depending more on biology than on psychology.

Pandit K. C. Sharma: So by the very biological evolution it is the man who is active and who would be criminal in this offence and not the woman. Therefore, it is wrong to say that the woman should be punished on account of the very structure of the society, the nature of offence and the biological development of the female and male.

Then, Sir, from the practical view point also it would be useless, because it is very difficult to prove that the woman got the man into trouble. Where do the women remain? Always in the house. It is the man who runs into the house of women. The women are not going to run into the house of another man. It is simply impossible to think of such a thing.

Therefore, taking all these things into consideration I think it is an ill-advised move and I would request my hon. friend to withdraw his Bill and not to press it. It does not do any credit to talk of these sorts of things here, which have not much utility and much commonsense behind them. I would, therefore, once again request him to withdraw it and not to press it.

Shri Achuthan (Crangannur): Mr. Deputy-Speaker, I entirely agree with Shri K. K. Basu in opposing this Bill which has been brought forward by my hon. friend Shri Dabhi. Shri Dabhi is noted for his realistic approach to all problems, especially the reconstruction side of the country. In fact, if you look into the questions put by Shri Dabhi during the last 4 or 5 years you will see that he is more fond of rural reconstruction work, Ambar Charkha, Khadi development, rural industries, hand-pounded rice and things like that.

When I look into this Bill I find that he is thinking in that light. His objective nobody is questioning, but I do not know whether he has apprized the actual situation in the country—I mean in the rural and urban areas of this big country. In fact, nobody can oppose the principle. Everybody will agree that in this life, if there is an act of moral turpitude everybody concerned must be punished. But what is the position? Womanhood in this country, even now in this 20th Century, everybody will agree is weak and out of every 100, 99 of the women, let it be from the lower, middle or upper class, are weaker by nature than men. They cannot stand on their own legs. They are not able to take any decision on their own. That being the case, if at all something happens by the manoeuverings or by the doings of men, to say that she should be dragged to the court and made to suffer along with men is not correct. On account of the offence, if she becomes pregnant, she has to deliver as well as live in prison. That itself is a sufficient punishment for her. Therefore, Shri Dabhi, naturally, has not that sympathetic attitude to this finer sex, whom we all adore. There are a good number of ideal women from the Puranas downwards. Moreover, this is not a regular offence in our society. Very rarely we see that such cases are brought to the court and the offenders convicted.

Therefore, let us wait. Let some more time pass. If at all a case is brought to court, as pointed by my friend Shri Raghubir Sahai, there is that social ignominy; there is that discredit. If at all she is dragged as one of the co-accused, even then, she is

boycotted not only in her own family but she becomes some sort of an object of ridicule in the whole society. There after, the standard itself lowers down. That is seen in everyday life.

So, the Bill is unnecessary at this time. Even, say, after 50 years, I cannot imagine a case where a woman is dragged to the court as an accused and is punished. I beg of the hon. Member to withdraw the Bill. If he does not, this Bill must be thrown out.

श्रीमती कमलेन्दुमति शाह (जिला गढ़वाल–पश्चिम व जिला टिहरी गढ़वाल व जिला बिजनोर–उत्तर) : मेरा इस बिल पर बोलने का कोई विचार नहीं था लेकिन जिस तरह के विचार इस भवन में प्रकट किये गये है उनको देखते हुये मैंने यह अपना कर्त्तव्य समझा कि मैं भाई डाभी जी से निवेदन करूं वह इस बिल को वापिस लें लें। मैं चाहती हूं कि आप इस बिल पर इस दृष्टि से विचार करें कि आपकी भी बहनें होंगी, आपकी भी बेटियां होंगी, आपकी भी भतीजियां होंगी तथा आपकी भी भांजियां होंगी और इस बिल के पास होने पर उन पर क्या गुजरेगी। आजकल औरतों की जो हालत है वह आपको मालूम ही है। आज हमारे देश में इतने ज्यादा जो ब्राथल्स (वेश्या गृह) हैं, उसका क्या कारण है। अगर आज वे कायम हैं तो मैं समझती हूं कि ये पुरुषों के ही कारण कायम हैं। जब औरतों के पास खाने के लिये कुछ नहीं होता है, पहनने के लिये कपड़ा नहीं होता है और वे भूखी मरने लग जाती हैं तो ही वे ब्राथल्स की शरण लेती हैं। आप चाइना में ही देखिये कि किस तरह से वहां पर ब्राथल्स समाप्त किये गये हैं। वहां पर इनको खत्म करने के लिये कौन जिम्मेवार है। मैं समझती हूं कि वहां पर इनको जो खत्म किया गया है उसके लिये भी पुरुष ही जिम्मेवार हैं। यहां पर भी यह काम पुरुष ही कर सकते हैं इतना जुल्म औरतों पर होने के बावजूद भी अगर आप यह जुल्म और उन पर ढाना चाहते हैं तो आप ही बताइये कि यह कहां का न्याय है। यदि आज वे किसी के चंगुल में फंस जाती हैं तो जो उनकी बदनामी होती है, जो उनको सोसाइटी की तरफ से सजा मिलती है मैं समझती हूं वह दंड बहुत काफी है। इस सब के ऊपर कानूनी सजा और उनको देना मैं समझती हूं न्यायसंगत नहीं होगा। आज हमने कई विधेयक पास किये हैं। एक कानून हमने यह पास किया है कि घूस लेने वाले को तथा घूस देने वाले को, दोनों को ही सजा होगी। इसका क्या नतीजा हुआ है ? अब न तो घूस लेने वाला ही बताता है कि मैंने घूस ली है और न घूस देने वाला ही बताता है कि मैंने घूस दी है। तो मैं समझती हूं कि इस विधेयक का भी यही हाल होगा यदि इसको पास कर दिया गया।

अन्त में इतना ही निवेदन करना चाहती हूं कि आप इस विधेयक को सोच समझ कर पास करें। आज औरतों को पहले ही से सजायें मिल रही हैं और उनको ज्यादा सजा देने की कोई जरूरत नहीं है। इस बिल को इस बात को ध्यान में रख कर, कि आपकी भी मातायें हैं, आपकी भी बहनें हैं, आपकी भी बेटियां हैं आपकी भी भांजियां हैं, और उनके ऊपर इस बिल का क्या असर होगा, पास करना चाहिये। मैं तो यही प्रार्थना करूंगी कि भाई डाभी जी इस विधेयक को यदि वापस ले लें तो बहुत अच्छा होगा और मुझे पूर्ण आशा है कि वह ऐसा कर भी लेंगे।

श्रीमती शिवराजवती नेहरू (जिला लखनऊ–मध्य) : मैं इस बिल का विरोध करने के लिये खड़ी हुई हूं और मैं अपने भाई डाभी साहब से यह आशा करती हूं कि वह इसको वापस ले लेंगे। जहां तक समानता की बात कही जाती है, मैं मानती हूं कि आज समानता का युग है और यदि कोई पाप स्त्री तथा पुरुष दोनों करे, तो उसकी सजा भी दोनों को ही बराबर मिलनी चाहिये। परन्तु इसके साथ ही साथ मैं यह भी कहना चाहती हूं कि यदि स्त्री बड़ी उम्र की है और

[श्रीमती शिवराजवती नेहरू]

वह फिर ऐसा पाप करती है तो वह इस तरह की सजा पाने की भागी है और उसको सजा मिलनी चाहिये । परन्तु इसके साथ ही साथ मैं यह भी कहना चाहती हूं कि बहुत सी ऐसी घटनायें भी होती हैं कि छोटी छोटी लड़कियों की शादियां हो जाती हैं और उनके पति चूंकि दुष्ट होते हैं इस वास्ते उनको वे तंग करना शुरू कर देते हैं । साथ ही साथ स्त्री चूंकि अबला होती है इस वजह से भी उसके साथ बलात्कार हो जाती है । जब कभी कोई ऐसी घटना हो तो मैं समझती हूं पुरुष को ही सजा मिलनी चाहिये न कि स्त्री को और उसे माफ कर दिया जाना चाहिये ।

आपने बहुत बार अखबारों में भी पढ़ा होगा कि स्त्रियां स्टेशनों पर आती हैं और वे रास्ता भूल जाती हैं और लोग उनको बरगला कर ले जाते हैं और उनकी इज्जत खराब कर देते हैं । जब इस तरह से स्त्री को कमजोरी का फायदा उठाया जाता है तो मैं समझती हूं कि उसको माफ कर दिया जाना चाहिये और पुरुष को ही सजा मिलनी चाहिये । इन सब चीजों को ही ध्यान में रखते हुये पहले कानून बनाया गया था और उसमें संशोधन करने की कोई आवश्यकता मुझे प्रतीत नहीं होती है ।

मैं आपको यह भी बतलाना चाहती हूं कि आज हमारे यहां इस प्रकार का एक कानून बना हुआ है कि यदि कोई बड़ी उम्र की स्त्री भी जो कि शादी शुदा है किसी के साथ प्रेम करती है और यह सिद्ध हो जाता है तो पुरुष को अधिकार है कि वह उसको तलाक दे दे तथा घर से निकाल दे । अब कभी कोई स्त्री ऐसी बात करती है तो जैसा कि भार्गव साहब ने कहा कि जिस तरह की उसकी दशा होती है, वह सब को मालूम ही है । इसके साथ ही साथ स्त्री भी यदि उसका पति पर-स्त्री से या किसी लड़की से प्रेम करता है तो उसको भी यह अधिकार है कि वह अपने पति को तलाक दे दे । अगर इतनी बात होते हुये भी कोई पुरुष अपनी स्त्री को घर से नहीं निकालता है तो आप को क्या जरूरत है कि आप उस स्त्री को सजा दें, मियां बीबी राजी तो क्या करेगा काजी । तो जब दोनों को ही तलाक देने का अधिकार है तो मैं समझती हूं इस कानून की कोई आवश्यकता नहीं है । कानून की यदि आवश्यकता है तो अबलाओं के लिये है । इस वास्ते इस एबेटमेंट की बात को जो स्त्रियों पर भी लागू करने के लिये इस कानून में संशोधन करने का विचार प्रकट किया गया है, वह गलत है । जो मैं मांग कर रही हूं यह निहायत वाजिब और जरूरी है और मैं डाभी साहब से प्रार्थना करती हूं कि वह अपने बिल को वापिस ले लें ।

श्री र० द० मिश्र (जिला बुलन्दशहर) : जिस वक्त यह ताजोरात हिन्द बना था उस वक्त इस बात को तसलीम किया गया था कि एडल्टरी (व्यभिचार) एक जुर्म है और स्त्री पुरुष दोनों पर एक ही तरह से लागू होती है । जुर्म बुरी चीज है, यह नहीं होना चाहिये । लेकिन जिन लोगों ने उस वक्त कानून बनाया उन्होंने इस में यह भी लिख दिया कि एबेटमेंट (दुरुत्साहन) के जुर्म में से स्त्री को निकाल दिया जाये । स्त्री को निकालने का उन्होंने एक कारण यह लिखा कि हिन्दुस्तान में पोलोगेमी है और औरत की पोजीशन जरा गिरी हुई है । क्योंकि हिन्दुओं में एक आदमी तो जितनी शादियां चाहे कर सकता है लेकिन उसके बाद उसे अपनी औरत को डाइवोर्स (विवाह-विच्छेद) करने का कोई हक हासिल नहीं था । इस चीज को देखते हुये औरत मजबूर हो जाती थी, क्योंकि खाविन्द तो उसके पास उसकी नैचुरल (प्राकृतिक) ख्वाहिश को पूरा करने के लिये नहीं आता था, और उसको वह डाइवोर्स भी नहीं करता था । ऐसी सूरत में अगर वह इस तरह का जर्म करती थी तो

उसको बख्श दिया जाना चाहिये लेकिन मर्द को नहीं । इस तरह से यह कानून उस वक्त बना जब कि हिन्दुस्तान में पोलोगेमी (बहु विवाह प्रथा) थी । इस प्रकार एडल्टरी के लिये मर्द को मुजरिम करार दे दिया जाता है लेकिन औरत को मुजरिम करार नहीं दिया जा सकता है । अब हम ने पोलोगेमी की प्रथा को हिन्दुओं में समाप्त करने का बिल पास कर दिया है और मौनोगेमी रायज कर दी है । अब वह सूरत नहीं रही जो कि पहले थी । अब तो सब के लिये यही सिद्धान्त लागू होता है कि "आचार परमो-धर्मा" । यह स्त्रियों पर उसी तरह से लागू होता है जिस तरह से कि आदमियों पर होता है । या तो आप मुल्क में एडल्टरी की पूरी छूट दे दें कि मर्द भी कर सकता है और स्त्री भी कर सकती है और यह कोई जुर्म नहीं है । लेकिन अगर आप इस तरह से नहीं करते हैं तो यह जो सिद्धान्त मैंने बताया है यह दोनों पर एकसा लागू होता है और दोनों को इसका पालन करना चाहिये ।

कानून इसलिये बनाये जाते हैं कि लोगों को डर रहे और वे जुर्म न करें । अगर सब अच्छे हो जायें और सब को ठीक शिक्षा मिल जाये और सब का आचरण ठीक हो जाये तो कानूनों की कोई आवश्यकता ही नहीं रह जायेगी और कोई जुर्म ही नहीं करेगा । अब भी जितने भी लोग हैं वे तमाम के तमाम जुर्म नहीं करते हैं । थोड़े से आदमी या औरतें होती हैं जो जुर्म करती हैं और उन्हीं के लिये कानून बनाये जाते हैं । उनको डर रहता है कि अगर उन्होंने जुर्म किया तो उनको सजा हो जायेगी ।

अब जुर्म क्या है । एबेटमेंट की सूरत में स्त्रियों पर तो कोई जुर्म नहीं लगता है लेकिन आदमियों पर लगता है । अब अगर आप एबेटमेंट (दुरुत्साहन) की तारीफ को सुनें तो आपको पता लगेगा कि दफा १०७ ताजीरात हिन्द (भारतीय दंड संहिता) में दिया हुआ है :

"to instigate any person to do that.."

यानी अगर वह इंस्टीगेट करे या बर-गलाये जब कि दूसरा आदमी न चाहता हो । लेकिन अगर स्त्री दूसरे को जुर्म करने के लिये बरगलाये तो क्या वजह है कि उसको सजा न हो ।

इसलिये अब अगर कोई औरत बिल्कुल मिसरिप्रेजेंट (भ्रम फैलाना) करे और कहे कि मैं किसी की ब्याहता औरत नहीं हूं--और आदमी को यह मालूम न हो--और वह आदमी को अडल्ट्री के जुर्म करने के लिये इन्स्टीगेट करे, तो उस सूरत में उसको भी मुजरिम करार देना चाहिये । मैं समझता हूं कि कानून का डर स्त्री और पुरुष दोनों पर होना चाहिये ताकि हमारे देश में अच्छे आदर्श स्थापित हों । मैं अर्ज करना चाहता हूं कि इस मामले में ईक्वेलिटी (समानता) का कोई सवाल नहीं है । हमारा देश अब आजाद हो चुका है । अब जितने भी कानून बनाये जा रहे हैं, देवियों की मर्जी से और उनके हितों का ख्याल रख कर बनाये जा रहे हैं । इन हालात में अगर यह अमेंडमेंट (संशोधन) मंजूर कर ली जाये, तो कोई नुकसान होने वाला नहीं है । मैं समझता हूं कि सब इस बात से सहमत होंगे कि हमारे देश का कैरेक्टर (आचार) और आदर्श ऊंचा होना चाहिये, पुरुषों और स्त्रियों का आचार बहुत ऊंचा और उत्कृष्ट होना चाहिये और दोनों के साथ मुनासिब और बराबर का व्यवहार होना चाहिये । अगर किसी केस में यह साबित हो जायेगा कि किसी देवी ने इन्स्टीगेट किया है या मिसरिप्रेजेंट किया है, तब ही वह अबैटर की तारीफ (परिभाषा) में वह आ सकेगी और तब ही उसको सजा हो सकेगी । माननीय सदस्य श्री भार्गव के कहने के मुताबिक यह साबित करना बड़ा मुश्किल है । मैं यह कहना चाहता हूं कि

[श्री र० द० मिश्र]

अगर यह मुश्किल है, तो उसको सजा भी नहीं होगी और अगर साबित हो गया, तो सजा हो जायेगी । इस अमेंडमेंट को मंजूर करने का फायदा यह होगा कि स्त्रियों पर कानून का कुछ डर हो जायेगा । अगर होम मिनिस्टर साहब डाभी साहब का यह बिल मंजूर कर लें, तो अच्छा है और अगर न करें, तो हरि इच्छा ।

Shri Datar: It is not possible for me to accept this Bill at all for a number of reasons. In the first place, the time has not come for changing the law as it stood about 100 years ago. It is said by hon. Members who support this Bill that there ought to be equality before law. I would point out to this House that even in the Constitution, it has been definitely stated that so far as the women and the children are concerned, it is perfectly open to this Parliament and the State Legislatures to make special laws regardless of the general principles of equality or non-discrimination laid down there. Even as late as 1950, the Constituent Assembly was of the opinion that Indian women deserved a larger measure of consideration than perhaps the women in other countries or men in this country. We have to take this particular circumstance into account.

We are also told that women are educated and enlightened to a large extent and that they stand on a par with the men in India. That is not correct. So far as the urban conditions are concerned, it might be true that there is a large measure of education spread among women; but, if we go to the large rural side, we find that the conditions of women are far from satisfactory and they are almost miserable to a large extent. The law that is sought to be made or changed would be applied to the people in the rural areas also. In all such cases, we have to take into account the correct viewpoint and not be misguided by theoretical considerations.

It is true that in the Indian society, as in other societies, constancy or a sense of faithfulness in life to the other partner in life is always essential. That is the reason why in India, great stress is laid on maintaining the highest fidelity not only among women, but also among men. Often times we say that पातिव्रत्य is a great virtue; but, we know that एक पत्नी व्रत was also an injunction that was laid down upon us by our ancestors. Therefore, in all these cases, whenever the question of fidelity arises, it is more a matter for the society to take the circumstances into account, rather than for the law to intervene in such cases, because the intervention of the law might lead to certain evil consequences. So, for the preservation of the purity of the family, fidelity has to be maintained by men as well as women. In case of infraction of this social law, the question arises as to whether we should make it a part of the penal law of the land. But in such cases, the best course would be to leave it to the society. That is the experience not only in India but in other countries as well. When a particular person—man or woman—is guilty of such an offence against the other partner, naturally it is the society which takes the particular circumstance into account and the greatest punishment would be by way of social obloquy. That is the principle which has been followed everywhere, and n the majority of the nations of the world, adultery is not an offence at all, except in France and China. Perhaps in old China, as my friend pointed out, adultery is an offence so far as men are concerned. In all the other advanced countries of the world, adultery either by men or women has been left to the society, because social sanctions are more effective. We know of cases where persons guilty of such offences had to suffer greater obloquy from the social restraints than from proceeding to the court of law.

It might be understood that when the first draft of Indian Penal Code was prepared, adultery was not included as an offence at all. In fact, there is now a trend in some countries that adultery should not be an offence at all even so far as men are concerned. The guilty persons—men and women—should be left to the injunctions of the society and the punishment afforded by the society would prove to be highly effective. But, when the first draft of the Indian Penal Code was prepared adultery was not recognised as an offence even by men. In those days about 100 years ago, it was considered that the penal law of India would be complete without providing for the offence of adultery so far as the men were concerned and therefore, the framers of the Code did not include adultery as an offence punishable under law. The matter was then referred to the second Law Commission. As my lawyer friends will find, this matter was considered a number of times very carefully and ultimately, in regard to a certain measure of public opinion. It was of adultery—not in the extreme form considered that a limited form in which we find it in France and a few other countries—should be recognised as an offence under the Indian Penal Code. This offence was recognised for the sake of maintaining the social purity of the particular married family. Therefore, what was done was this. Adultery was not recognised as an offence when it was committed with a virgin or an unmarried woman or a widow. If adultery has been committed with a widow it is not an offence.

Shri Tek Chand: It is impossible:

Shri Datar: What I am pointing out is that adultery or faithlessness committed by a man with a widow or with an unmarried girl was taken away from the purview of the definition of adultery. That is what the hon. Member should understand. He takes the word "adultery" in the Indian sense. Take it in the literal sense. The word "adultery" was brought within the circumscribed sphere, namely, that adultery was an offence when, for example, a man had committed adultery with a married woman, while the husband was alive.

An Hon. Member: Now the definition of the word "Adultey" in the Indian Penal Code.....

Shri Datar: That is not the literal definition at all. The scope of adultery has been circumscribed in the definition of 'adultery' in the Indian Penal Code.

Shri Tek Chand: And also in Englad

Shri Datar: I may correct my hon friend.

Mr. Deputy-Speaker: It is not the definition of adultery that is the issue now.

Shri Datar: What I would point out to the hon. Member is that the scope of adultery is an offence on the Indian soil is of a limited nature and perhaps we might think in the other direction of taking it away—I am not here pointing out anything on behalf of the Government; I am only referring to a trend of opinion—from the purview of penal offence. It should be treated as a social wrong and naturally certain other proceedings might be taken—divorce or judicial separation or certain other relief allowable under the civil law. Therefore, if this circumstance is taken into account it would not be proper, especially in the present condition of womanhood in India, to make any change at all.

Secondly, we might also consider whether the offence is too grave and whether it is so prevalent. Adultery is not so prevalent in India as sometimes we are told it is. Then adultery is an offence which has been recognised as a social offence and, therefore, the Indian society would not tolerate **adultery.**

The question is, as an hon. Member put it, whether there ought to be the fear of the law. So far as the fear of the law is concerned, there is always a limit to the fear of the law. You cannot purposely

[Shri Datar]

create a society which lives always on fear. The sense of fear ought to be confined to certain acts. Therefore, I would submit that so far as this particular offence is concerned, the time has not come at all when the conditions of woman have improved to such an extent as to place man and woman on an absolutely equal footing. Under the circumstances, more harm will be done—that is why I am appealing to my hon. friend—than good. They may or may not commit an offence. But if, for example, these important words are taken away, then the section will be used as an instrument of oppression so far as women are concerned; at least it will be used as an instrument of blackmail. All these considerations will have to be taken into account and apart from all other considerations which I have pointed out—some others have also pointed out the same in a different way—I would submit that the time has not come for that and we have not progressed so much as some hon. Members think. We are told that monogamy has come. Monogamy has come only under the law. There are even now a number of husbands who have a number of wives still living. Therefore, it would not be proper to say that monogamy has come to stay. It has come to stay under the law. But it will be a matter of full fact only when all the husbands having a number of wives die. Let them live long. I and let their wives also live long. I would submit to the House that the conditions have not improved at all.

We are making very good changes so far as social legislation is concerned. We are also introducing good legislation. We have got, for example, cases where it would be open to a husband to obtain a divorce. Divorce itself is an evil, but it is considered as a necessary evil when the other party to the marriage acts in a way which will destroy happiness. Therefore, we have so much of divorces. So I would submit that we should be extremely careful to interfere with the penal law of the land, a law which has been made about hundred years ago. It has stood the test of time. So far as this question is concerned, we should not think of making any changes because of our theoretical view that men and women are now on the same footing. Therefore, I would request my hon. friend Mr. Dabhi, who is somehow showing so much enthusiasm over this particular aspect for the last four or five years, to divert the enthusiasm to other better causes and at least out of a sense of chivalary, if not out of consciousness of the defects of the provision, and to respond gracefully to the appeal that has been made not by us but by the lady member.

Shri Tek Chand: May I seek a clarification from the hon. Minister?

Mr. Deputy-Speaker: The clarification has to be sought from Mr. Dabhi.

Shri Datar: I am prepared to answer any question.

Shri Tek Chand: Most probably the hon. Minister is aware that according to sections 99 and 100 it is justifiable homicide to kill a man who intends to disgrace his honour. A potential adulterer can be killed and it will be in the exercise of the right of self-defence. But to bring about a law whereby you can tell the adulterer: now that you have succeeded in committing the offence not only I cannot kill you but I cannot even send you to the jail....

Shri Datar: The analogy is absolutely fallacious.

Mr. Deputy-Speaker: It was only a suggestion to be brought to the notice of the Minister—not a clarification.

Shri Dabhi: At the outset I am thankful to some of my hon. friends who have supported me in this Bill

In spite of the arguments advanced by my hon. friends who have opposed this Bill, I submit that I do not consider any one of those arguments to be sound. I congratulate some of our hon. Members who have come to the help of the fair sex. But I may remind them what my sister Shrimati Jayashri said on the last occasion. Hon. Member wants to give them special protection and want us to have some sympathy for them. But I submit that under the present circumstances it is against the self-respect of woman to ask for discrimination. These are the words which were used by my sister, Shrimati Jayashri:

> "I would like to say that we are willing that man and woman should be put on an equal footing."

Mr. Deputy-Speaker: But today two ladies have spoken against it.

Shri Dabhi: Whether they subscribe to this or not, I subscribe to this view. The Minister in the Ministry of Home Affairs gave some reasons. At first he said that we not only want *ekapati vrat* but *eka patni vrat* also. Therefore, I say that if we believe in *eka patni vrat* and *eka pati vrat*, those who do not observe *eka pati vrat* should also be punished. Why do you want to punish only men? I do not understand the logic behind this. Then, the hon. Minister said that the reason or the ground given by the authors of the Penal Code was that polygamy was extensive at that time and so they did not think it was proper to punish the women. Some of the hon. Members including the hon. Minister seem to think that still polygamy exists to a very large extent, but I have here the authority of the Census report of 1951, that is even before the Hindu Marriage Act was passed. It is stated at page 75, Census of India, Volume I, Part I-A as follows :

> "Polygamy though it exists is known to be very rare. Out of every 10,000 persons in India, there are 2,353 males for every 2,357 married famales."

So, practically it is non-existent.

Shrimati Shivrajvati Nehru: But men may have unmarried wives.

Shri Dabhi: Everybody knows that that argument does not hold good.

Mr. Deputy-Speaker: The time allotted has already been exceeded. We should not indulge in this.

Shri Dabhi: Anyhow, though my sisters have appealed to me to withdraw this Bill, I think they would also respect my conviction. The hon. House is at liberty to reject my Bill, but I am convinced it is absolutely necessary that this discrimination should be done away with. With due respect to them I do not withdraw my Bill.

Shrimati Jayashri said that section 497 should be done away with. The hon. Minister seems to think that as it is a social offence and as adultery as an offence does not exist in so many countries, the whole section should be done away with which makes adultery an offence. I do not quite agree with that, but let either this discrimination be removed or if the hon. Minister is amenable let them do away with the section.

Mr. Deputy-Speaker: That could be considered if the hon. Member brings a fresh Bill.

The question is:

> "That the Bill further to amend the Indian Penal Code, 1860, be taken into consideration."

The motion was negatived.

UNEMPLOYMENT RELIEF BILL

Mr. Deputy-Speaker: We now proceed to the next Bill. Shri V. P. Nayar.

The Deputy Minister of Labour (Shri Abid Ali): On a point of order.

Shri V. P. Nayar (Chirayinkil): Let me move the motion. You can raise the point of order afterwards. Do not be in a hurry.

Mr. Deputy-Speaker: Let the motion be moved.

Shri V. P. Nayar: I beg to move:

> "That the Bill to provide relief to unemployed workers, be circulated for the purpose of eliciting opinion thereon by the end of October, 1956."

Shri Abid Ali: Under article 117(3) the President's recommendation which was necessary has not been obtained. Also, a similar Bill was introduced in 1953 by Shri Gopalan and the President's recommendation was sought for, but it was refused. This being a similar Bill, it requires the recommendation of the President. So my submission is that it should not be taken up for consideration at this stage.

Shri V. P. Nayar: I am really glad that this point has come up, because it will settle the question by a ruling once and for all. I was rather amazed to hear the hon. Deputy Minister refer to article 117 (3), more so because I found him in consultation with the Law Minister a little while ago. What is article 117(3)? He knows....

Mr. Deputy-Speaker: He ought to be as brief as the hon. Minister has been.

Shri V. P. Nayar: Yes Sir, but it is a very delicate point. The Minister knows that the Constitution makes a distinction between money bills and financial bills. A money bill is defined but a financial bill is not defined as such, although by implication we can have its definition. Article 117(3) says:

> "A Bill which, if enacted and brought into operation, would involve expenditure from the Consolidated Fund of India shall not be passed....

—underline the word "passed"—

> "....by either House of Parliament unless the President has recommended to that House the consideration of the Bill."

I submit that this Bill if enacted might involve expenditure and I also agree that the President's recommendation is not with me. This is all the more reason why I wanted to get the support of the entire country behind me and then get the President's sanction. The hon. Minister cannot get up and say that we will not get the President's recommendation even if public opinion is in my favour.

There is also another small point which I wish you to take into consideration. My hon. friend seems to confuse the "stages" of the Bill. The motion before the House which I have just moved is a motion for circulating the Bill. It is not a motion for consideration. If it were a motion for consideration merely for the purposes of argument I might concede that his contention will hold good. Sir, you will be pleased to refer to our rules of procedure which distinguish between the stages of the Bill. For the information of the hon. Minister and other Members I may read out with your permission rule 92:

> "When a Bill is introduced, or on some subsequent occasion, the member in charge may make one of the following motions in regard to his Bill, namely:—
>
> (i) that it be taken into consideration; or
>
> (ii) that it be referred to a Select Committee of the House; or
>
> (iii) that it be referred to a Committee of the Houses with the concurrence of the Council; or

(iv) that it be circulated for the purpose of eliciting opinion thereon:"

It is abundantly clear from this distinction drawn in our rules that when a motion is moved for circulation of a Bill for the purpose of eliciting opinion thereon it is not a stage which can be called "consideration" which will come within the mischief of article 117(3).

Firstly I contest the position that this is a Bill which will come under article 117(3) and requires the recommendation of the President, and secondly I submit that in so far as our rules of procedure have drawn a distinction between the various stages of the Bill and in so far as circulation of a Bill is separately provided for, the contention of the hon. Minister cannot hold good. I may now be allowed to continue my speech.

The Minister of Legal Affairs (Shri Pataskar): I only came to know of it just now, but it raises really a very important question which I would like to place before you what I think of the matter apart from the merits of the Bill. This Bill is called Unemployment Relief Bill and it wants to throw the burden of making payments to persons who do not find employment on the Government. It may be a very laudable object, I have nothing to say about that, but if I am correct probably it will throw the burden on Government of several crores of rupees and that could be done only under article 110.

Mr. Deputy-Speaker: The hon. Member has not contested the point that it involves some expenditure. He has only argued that the motion for circulation does not require President's recommendation.

Shri Pataskar: What I mean is it cannot even be introduced. Of course, it has been introduced, but that is another matter. This is a very important matter and let us look into it. I am not interested in the merits of the Bill.

Mr. Deputy-Speaker: I only wanted to tell the hon. Minister that the Mover has not contested that the Bill involves some expenditure of moneys which would be drawn from the Consolidated Fund of India. Whether the amount to be drawn is small or great is of no consequence. It does involve some expenditure, which would be covered by these provisions.

The Minister of Legal Affairs might go on with this argument now.

5 P.M.

Shri Pataskar: What I mean is that under article 110, this is a money Bill. There is no doubt about that. If it is a money Bill, then under article 117(1),—apart from what article 117(3) says—

> "A Bill or amendment making provision for any of the matters specified in sub-clauses (a) to (f) of clause (1) of article 110 shall not be introduced or moved except on the recommendation of the President....".

So, it is really a matter of very great constitutional importance. Whenever a money Bill has to be introduced, the Constitution has laid down in article 117 (1)—article 117(3) is quite different—that it must have the previous recommendation of the President.

Shri V. P. Nayar: That is another point of order.

Shri Pataskar: Now, it may be argued that the Bill has already been introduced. But that apart, if really the introduction itself has not been warranted under the Constitution, I do not know how that can be of any use. This is a matter worth considering.

I do not know what happened at the time the Bill was introduced, and whether it was opposed at all, and if it was not opposed, why it was not opposed. Even granting that no objection was raised at that

[Shri Pataskar]

time, we cannot do anything which the Constitution itself forbids us from doing. Apart from the merits of this Bill, this is a point worth considering. In spite of the fact that a Bill is a money Bill, if by chance such a Bill happens to get introduced, then it is open to me to draw your attention to the fact that it is a money Bill, even the introduction of which was not warranted by the Constitution.

Mr. Deputy-Speaker: I would like to draw the attention of the Minister to the wording of article 110(1) which says:

> "....a Bill shall be deemed to be a Money Bill if it contains only provisions dealing with all or any of the following matters, namely....".

Is it the contention of the Minister that this Bill deals only with those matters?

Shri Pataskar: Virtually, I think that is what it practically means. It relates to 'appropriation of moneys out of the Consolidated Fund of India' mentioned under item (d) of article 110(1). I think this Bill contains very little excepting that. It says that money should be paid out of the Consolidated Fund even to unemployed persons.

Shri V. P. Nayar: Even that "very little" is sufficient to say that it is not a money Bill.

Mr. Deputy-Speaker: As the hon. Member himself has just observed, even this very little is enough to take this Bill beyond that 'only', and on that, this could be discriminated from a money Bill. If the hon. Minister certainly contends that it contains only those provisions, then that might be a different thing.

But now, two objections have been taken as regards this Bill. The first is that under article 110, it ought not to have been allowed to be introduced. That is what is being said by the Minister. It was an irregularity, so to say, so far as his contention goes.

But if we look at article 122(1), we find:

> "The validity of any proceedings in Parliament shall not be called in question on the ground of any alleged irregularity of procedure.".

Shri Pataskar: I am not challenging it.

Mr. Deputy-Speaker: If any irregularity or any other defect has occurred when this Bill was introduced, then we shall not take that into account at the present time and question it.

Shri Pataskar: May I say a word? I am not challenging the validity of the proceedings of Parliament. Supposing I had an occasion to challenge it in some court or some other place, that would be a different thing. What the article says is that the validity of any proceedings of Parliament shall not be called in question on the ground of any irregularity or defect. I am not challenging the validity of the proceedings here. What I mean to submit is that what has happened is something—of course on that we might differ—which is entirely inconsistent with the provisions of the Constitution. If so, then I am appealing to you to consider this. I am not challenging the validity of the proceedings. So, you may just consider this point.

Mr. Deputy-Speaker: Practically, that would come to the same thing. The contention is that it was not a Bill which could have been introduced. But it has been introduced, and Parliament has permitted it. If there was some defect in that, now, we cannot call that in question.

The second objection is that article 117 (3) of the Constitution is a bar to our proceeding with this Bill. That article reads:

> "A Bill which, if enacted and brought into operation, would involve expenditure from the Consolidated Fund of India shall not be passed by either House of Parliament unless the President has recommended to that House the consideration of the Bill."

The wording here is 'shall not be passed'. I do not think it is the contention of the Minister that this word 'passed' would include even this motion that it should be circulated for eliciting public opinion thereon.

I am certainly strengthened in this view by a previous ruling of the Speaker, where it has been held that the motion for circulation is a distinct one, it is a different one, and article 117 (3) does not stand in the way of that motion being made. So, I have to abide by that. Moreover, I am also of that view. Therefore, there is no obstacle so far as this motion is concerned, and we can proceed with it.

As has been argued by the hon. Mover himself, after we have received opinions,—that is to say, if Parliament agrees to the motion for circulation—from our countrymen, the President might think it advisable to give his recommendation. Therefore, this plea also that in 1953, a similar Bill was introduced, in respect of which the recommendation of the President was sought for, but was refused, should not, in my opinion, stand in the way of this Bill having its course.

Shri V. P. Nayar: I can understand the anxiety of the Deputy Minister of Labour, because normally one would have expected this bill to have been brought by Government. As you know, Sir, this Bill was submitted.....

Mr. Deputy-Speaker: The Committee on Private Members' Bills and Resolutions has not fixed any time for this Bill. So, it is for the House to fix the time. The Committee has not fixed any time, because it was thought there as well that perhaps this motion might not be assented to or might not be allowed to be proceeded with. Therefore, now, we have to fix the time. I suppose 1 hour will do for this.

Shri Feroze Gandhi: One hour will do.

Shri V. P. Nayar: It is a very important Bill.

Shri Sadhan Gupta: It is an important Bill, and therefore, more time should be given.

Shri V. P. Nayar: We discussed an amendment to the Indian Penal Code for 2 hours. And this Bill deals with a much more important matter.

Shri Feroze Gandhi: This motion is only for circulation. So, 1 hour will do.

Mr. Deputy-Speaker: Exactly. That distinction is there. This is not the consideration or the passing stage. It is only a motion for circulation to elicit public opinion. I would certainly be guided by the opinion of the House.

Shri Abid Ali: 45 minutes will do.

Shri Satya Narayan Sinha: Half an hour would do.

Shri V. P. Nayar: We had asked for four hours originally. So, at least, two hours may be given.

Dr. Rama Rao: Two hours may be allotted.

Mr. Deputy-Speaker: On one side, there is a demand for 2 hours, and on the other, there is the concession of half an hour only. Let us have one hour.

Shri Satya Narayan Sinha: Will it go up to six o'clock?

Mr. Deputy-Speaker: It may finish even earlier, because we started this at 4.54.

Shri V. P. Nayar: I am very sorry that the Minister of Parliamentary Affairs is not charitable enough even to allow one hour, for this important Bill.

Mr. Deputy-Speaker: Now, the hon. Member might proceed with his speech.

Shri V. P. Nayar: As you know, Sir, this Bill was submitted for introduction in 1953.

Shri Satya Narayan Sinha: So, this will finish at 5.54 P.M.?

Mr. Deputy-Speaker: Yes.

Shri V. P. Nayar: You will also find that what is started in the Statement of Objects and Reasons remains unchanged even today.

This is a very simple Bill. In the main, it seeks only to provide for some relief to the unemployed. The Government of India's policies, as enunciated quite often in this House, and expounded elsewhere, indicate that this Government are not in favour of giving reliefs or doles to the unemployed workers. The reason which they give is that it will cause a mental anxiety or a feeling of distress in the workers' minds when they get doles and will also create a psychological fear that they will not get jobs. This is, to say the least, according to me, a bogus explanation. It is trying to get away from facts. We know that unemployment today is a national malady. It is chroinc. It is growing. Even with the First Five Year Plan, we have not been able to eradicate it to any appreciable extent. If we go through the chapter on labour policy in the Second Five Year Plan, we find—there is some account of unemployment; it is not a complete account; the Planning Commission did not have all the necessary data to give us a complete account—that unemployment even after the Second Five Year Plan is completed will remain in colossal proportions.

What is the loss of human energy to the nation which is going forward with programmes of production and construction? I am not going to tire the House with all the details. I will submit for the consideration of hon. Members that, according to the version of the Planning Commission, today in our country an agricultural population amounting to over 35 million people are unemployed for more than 150 days in the year. The Planning Commission calculates that there are at least 17·6 million agricultural families finding no work for over 160 days in the year. What is the manpower which is lost to the country as a result of this one factor alone?

I have made some calculations which the hon. Minister may be interested to know. Assume, for example, that an agriculturist family consists of only two members; that is the irreducible minimum in any family. If we take 17·6 million families to have only two members per family and if the Planning Commission's version is to be believed, that is, they do not get work for 160 days in the year, according to me, these 35 million people could put in, which they do not put in now because there is no work, about 5,600 million mandays of work. This is not a joke for this country which claims to be moving towards progress in production and construction. It is about 45,000 million man-hours which the country is losing by unemployment, only in the agricultural sector. It is not my figure; it is the figure of the Planning Commission itself. This is not because our people have no enthusiasm to support the Plan. They have enthusiasm; they have not merely enthusiasm; they want to do their work. But where is the work?

We very often hear the talk being repeated that the Government of India is committed to usher in an egalitarian society or what they call a socialist pattern. If there had been any sincerity in making such pledges for ushering in a socialist pattern, I submit unemployment relief was one

of the measures which should have had top most priority. But what do we find?

Sir, there is also a provision in the Constitution, which we all know. The State shall strive to ensure economic justice. Where is economic justice when in the agricultural sector alone, 17·6 million families of agricultural labourers are not having work for half the year round? Millions of our educated people are today without jobs. They are not having any economic justice. They are in complete economic disequilibrium, a factor which has not even been taken into consideration by this Government which talks tall about a socialist pattern. It has been the consistent position of this Government to oppose us in any measure calculated to bring in some relief to labour; whether it is in the form of a resolution, which we had, or in the form of a Bill, which is being stoutly opposed by the Labour Minister who himself was, once upon a time, a labour leader.

Shri Abid Ali: Not labour leader, but a worker himself.

Shri V. P. Nayar: I leave it to his choice.

In the pledge of the Government in the First Plan, what did they say? I am not denying Sir, that in the First Plan, there has been some little improvement this way or that. I concede that there has been, for example, an improvement in industrial production, to the tune of 40 to 45 per cent. I also concede that in the First Plan, we have had giant undertakings. Many new factories have been started, both in the public and private sectors. I concede that also. But what is the picture of our economy as at the end of the First Plan? On the one hand, we have been investing money in huge undertakings. We have been increasing our output in industry to the extent of 43 or 45 per cent. But we must look at the other side of the picture. On the other side, I find from details collected by me from the *Labour Gazette* and *Monthly Abstract of Statistics* that at the end of the Plan—I am giving a brief account of what the real picture of our economy is like—that the net income from factory industries which was only Rs. 550 crores in 1950 rose to Rs. 760 crores in 1954. During the same period, wages, which were only Rs. 193 crores in 1950, rose only to Rs. 207 crores, a very small percentage of rise. As regards salaries, in 1950 they were Rs. 39 crores; they rose to only Rs. 42 crores. But then, look at the profits. In 1950, the total profits, as calculated by the Government of India—not by any one of us—were Rs. 318 crores, but in 1954 they swelled up to Rs. 511 crores. If percentage is required, the share of wages and salaries as at 1950 just before the Plan was launched, was 42 per cent, while at the end of 1954, it dwindled to 33 per cent. of the national income. On the other side, the share of profits which was 58 per cent. in 1950, rose to 67 per cent. at the end of 1954. This is the economy which we have got from the First Five Year Plan.

I do not want to give many more figures. But you will find that apart from the contention of Government that there is better industrial position today, that there is better industrial production, which can be calculated at 40 or 45 per cent, there is retrenchment, there is under-employment and there is unemployment even in sectors which, we considered as well organised and safe for labour.

What do we find today? Even the hon. Minister cannot dispute when I say that in industries like cotton textiles, in jute or in sugar, the overall employment position is steadily on the decline. It was only very recently that a committee of experts in U.P. studied the labour problems in the U.P. sugar mills and found that in the sugar mills alone there was a surplus labour of not less than 10,000! You will remember Sir, that consequent on the rationalisation of the jute mills, even the most conservative esti-

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mate by the Indian Jute Mill Association indicated that about 40,000 workers would necessarily have to be thrown out of employment. I know, about 20,000 have already been thrown out.

What is the position in the cotton textile industry? The Government says that it is 'rationalisation without tears'. Fantastic nonsense, if it is anything, because if it is rationalisation without tears here.....

An Hon. Member: Without tears to the millowners.

Shri V. P. Nayar: .... it is rationalisation with a flood of tears in other places. Take, for instance, the handloom industry. They are introducing under the Second Five Year Plan, 35,000 to 36,000 powerlooms. A powerloom is said to be able to produce about 60 or 70 yards a day as against 8 or 10 yards which can be produced by a handloom. We have got about 4 or 5 lakh registered handlooms. Where is the chance of absorbing all this production? We are certainly not against rationalisation in so far as it will not dislodge the workers. But today, if you put 35,000 or 36,000 powerlooms, each producing 7 or 8 or 10 times more than what handlooms can do, when in the country the demand for handloom cloth is not expanding appreciably, when the handloom industry itself has not come up to its pre-war position, I submit the introduction of powerlooms, without providing for corresponding employment to those who will naturally be thrown out of employment from the handloom industry, will certainly mean an addition to the unemployed labour force.

There is also another aspect which I want hon. Members to consider in a very objective manner. I am not speaking for or against prohibition. But we know that the Government is committed to a policy of prohibition. I am not going into the ethics of it. It might satisfy the views of certain puritan moralists. I am not going into that; but let us look at another side of prohibition. All along, we know that tens of thousands of families have been living, by tapping. It is well and good to say that there will be prohibition. What is the new employment provided to the tappers who for generations did nothing else except tapping? In our country several thousands of them have already been thrown out of employment. What is it that we have been doing for them? It is all very good to say that we must not drink and that there should be no tapping. But, this is the position.

Then again, I understand—I have not been able to make any estimate of it so far—that if rationalisation as proposed by the magnates of the textile industry is brought about, it will certainly result in several thousands of workers being thrown out of employment. Have the Government any plant to absorb them? For those people who have already been unemployed we have not been able to find work in spite of our First Five Year Plan and also the schemes contemplated in the Second Plan.

I want you to consider the wage position of the ordinary worker in our country. Is it the hon. Minister's contention that the average wages earned by workers today will amount to a living wage? I do not think that even the hon. Minister will contend that the workers in India today get what we can call a living wage.

Shri T. B. Vittal Rao (Khamman): Not even a fair wage.

Shri V. P. Nayar: As my friend, Shri Vittal Rao says, not even a fair wage. Let us look at the position of the worker who for some years has been working at the sweat of his brow, who, when at the age of 50 or 55—when old age compels him to retire from arduous work, goes home. What does he get; what are the social securities provided for a retiring worker? I concede that of

late one or two small measures have been introduced and passed by Government. But when a worker retires from work at the age of 55 or 60, incapable of doing any more work and without having set apart anything to fall back upon, because he did not have enough to make both ends meet, because he does not even have a fair or living wage, where is he to go? When he goes back after 60 or 55, probably he might have educated his children; he may have a daughter who might have passed her English School Leaving Certificate examination or a boy who might have graduated. But all that means nothing because there is so much of educated unemployment. Therefore, the worker who has worked even breaking his spine during the best part of his life and who goes home after the completion of his employment, will find to his dismay that he will be a burden. Have Government thought about this condition?

I was going through certain other details and I find that Government have a sort of insuperable aversion for doing anything which is fundamentally good for the worker. If they did not have that aversion, I am sure, having got notice that a Bill like this will be sponsored by the Opposition, they would themselves have come out with a Bill like this. I understand—speaking subject to correction—that very recently at the instance of the Labour Ministry of the Government a study was made by a team of experts on working out a scheme of insurance for the workers. After the study, the team of experts submitted their recommendations. This Government have not been able to put through even a very small measure which would have in some little way lessened the grievances of the workers; but for that they could find out a reason. Unfortunately, it happened that among the recommendations there was one which made it necessary for Government to collect a small contribution from the workers. We, certainly, are against any contribution being taken from the workers. But can't the Government find out the little money to meet this lacuna of not raising contribution from the workers themselves? That they have not done. When we are thinking of a socialist pattern, when we are going on borrowing what is good from all patterns, whether it is capitalist or socialist from countries all over the world, I find to my dismay that Government are conveniently ignoring what is happening in the I.L.O. of which India is a member.

I find from this publication, *Unemployment Insurance Schemes*, published from Geneva in 1955 by the International Labour Organisation—the latest that I could lay my hands upon—that about 22 countries have unemployment benefit schemes. In 1955, according to this Report, Austria, Belgium, Canada, Federal Republic of Germany, Greece, Ireland, Italy, Japan, Netherlands, Norway, Switzerland, Union of South Africa, United Kingdom, United States, Yugoslavia, Denmark, Finland, Sweden, Australia, France, Luxembourg and New Zealand, all these countries have unemployment benefit schemes. It is mentioned here—

> "..... brief mention should be made of the Social Security (Minimum Standards) Convention, 1952, adopted by the International Labour Conference in 1952. This Convention lays down minimum standards in respect of nine principal forms of social security and deals in one of its parts with unemployment benefit. Countries ratifying the Convention must undertake to provide at least three types of social security benefits, of which unemployment benefit may be one. The Convention defines the contingency for which unemployment benefit should be provided, indicates the minimum proportion of persons to be protected, and prescribes the minimum benefit levels and minimum potential duration periods. The Convention came into force on 27 April

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1955, and by the middle of 1955 had been ratified in respect of unemployment benefit by Sweden, the United Kingdom, Norway, Yugoslavia and Denmark."

Sir, I ask the hon. Minister, why is it that India which participated in this Convention, India which is a member of the I.L.O. could not adopt this and put it into practice. After all, it is not such a revolutionary measure. It is a measure which was agreed upon by all the countries, and adopted at the Convention, implemented by some countries, a measure which will be consistent with what is obtaining in 25 or 26 countries today. This is why I say Sir, that even when the Government think of borrowing all good things, be it from the capitalist camp or be it from the socialist camp, when the workers' interests are concerned, they turn away and do not even adhere to the decisions taken by international organisations of which they are members and in which they do send regular representatives.

I submit.....

Mr. Deputy-Speaker: The hon. Member should not exhaust the whole time because others have also to speak.

Shri V. P. Nayar: I submit, it has not been possible for me to give more elaborate details in view of the time restriction which was rather unexpected and I would say that Government must take the initiative. I knew that Government will oppose. That is why I submitted the Bill in its present form. I am sure, although the hon. Minister can now say that the Bill should not be considered because it does not have the President's recommendation, when once the House gives the direction that this shall be circulated for eliciting public opinion before the end of October 1956, I am certain that the public will respond and backed by the strength of public opinion, when I request the President, I am certain that the President will give the recommendation which may be necessary.

I once again request the hon. Minister not to treat this as a Bill which comes from the Opposition or from my party. It is a Bill which is very necessary, which is very essential, which is imperative in the present context, a Bill which should at least make a beginning to give some protection, in social securities, to the workers. I therefore commend to the House my motion for circulation of this Bill for eliciting public opinion.

Mr. Deputy-Speaker: Motion moved:

> "That the Bill to provide relief to unemployed workers be circulated for the purpose of eliciting opinion thereon by the end of October, 1956."

Shri Sadhan Gupta (Calcutta South): It is amazing that the Government, instead of giving serious attention to this Bill, has come out with an obstructive attitude, first by way of taking technical objections which are unsustainable and then by way of trying to restrict the time limit.

We know that with their present brute majority, they will succeed in stifling discussion on this Bill by restricting time because it is a Bill dealing with an aspect that does not do any credit to the Government that exists today.

Shri Nayar has given us the figures to illustrate the gravity of the unemployment problem, how many workers are going to be thrown out of employment in the jute, textile and other industries. Those figures speak eloquently and much more eloquently than the dry figures on the paper speak of the human beings whom we notice all around us and who together make up these figures.

We, as Members of Parliament, know how many people we see around us in the towns we represent, in the villages we represent, desperately looking for jobs in a frustrated mood, in a miserable position and with an an attitude to life which is devoid of all hopes and expectations. Now this is the position. Under these circumstances all that Shri Nayar's motion seeks to do is to elicit public opinion, and nothing more, on the necessity of giving unemployment relief. We call it "unemployment relief". I understand the Government has objected to the idea of giving an unemployment dole to the workers. I want to point out with all the emphasis at my command that these words "reliefs" or "doles" are complete misnomers. The point is that these words "unemployment relief" or "unemployment dole" as it is often called, have been invented by capitalists to hide their utter incompetence in doing their duty to the workers whom they exploit. The unemployment benefit is not a dole or relief. It is what the worker can demand legitimately for himself because it is the duty of every State to give any person, who is able to work and who is willing to work, an employment which will sustain his life. No one can deny that this country is not fulfilling its duty in that respect. Therefore, it is high time that some sort of a measure was introduced and enacted by this House, as the representative of the people, in order to provide for unemployment relief to our rural population, to big agricultural labour population and small peasants as also unemployment relief to the working classes and middle classes inhabiting the urban areas.

Shri Nayar wants to have this Bill circulated for the purpose of eliciting public opinion. By eliciting public opinion, valuable suggestions might be received, and, therefore, I see no possible objection to the mere circulation of the Bill for the purpose of eliciting public opinion. But I know that the fate of even this motion will be no better as the brute majority will stifle it down.

Dr. Rama Rao (Kakinada): They are going to accept it.

Shri Sadhan Gupta: Then I will withdraw my word.

Mr. Deputy-Speaker: Then, why say it in advance?

Shri Sadhan Gupta: That is my apprehension from the attitude of the Government in stifling the discussion and in raising technical objections. It will be well if it is circulated; it deserves to be circulated because by sending it to the country, by sending it for eliciting public opinion, very valuable suggestions might be obtained for improving the Bill, and at least something may come out of it which will give much-needed relief and protection to the working people, the toiling masses of this country, both in the villages and in the urban area.

Therefore, I would request the House not to throw it out unceremoniously as it is a Bill which is so important to the life of the people, to the life of millions of our countrymen; I would request the House at least to give it the consideration which it deserves and send it to the country and then see what can be done in the light of the opinion given by the country.

Shri T. B. Vittal Rao: I commend the motion of my hon. friend, Shri V. P. Nayar that this Bill be circulated for eliciting public opinion, for the acceptance of the House.

I am just now reminded of those few sentences which Shri V. V. Giri, when he was Labour Minister, said while closing the Thirteenth Session of the Indian Labour Conference at Mysore. We brought this question of unemployment; we discussed it there for some time; then finally when we asked him what was his opinion, he said that when he was a Labour Minister of the Madras Government in the year 1937 under the leadership of Shri C. Rajagopalachariar, the Chief Minister of Madras Government asked him to draft a Bill of that nature.

[Shri T. B. Vittal Rao]

We asked him whether it would not be possible to do it now. Then he replied that if he were to draft a Bill of that nature, he would have no place in the present Cabinet as it is constituted.

Shri V. P. Nayar: As it ultimately happened.

Shri T. B. Vittal Rao: The social security measures for the prevention of want have come to occupy an important place in the social legislation of modern times. As has been previously pointed out, there are today unemployment insurance schemes obtaining in 22 countries and they are all members of the International Labour Organisation. Why is it not possible for our country to institute a scheme of this nature? Of course, some people without knowing what this unemployment insurance scheme is simply ridicule and criticise that it is like giving doles to unemployed persons. This is not exactly like that. In unemployment insurance schemes, for an unemployed person the Government takes the responsibility for a limited period of time during which he is unemployed and he is given a limited allowance during that period. It is not that the unemployed person will be paid for all time an unemployment relief from the insurance scheme. It is not so. It is only for a limited period and again only a limited amount will be given to him. When this scheme operates, it brings pressure on the Government to find out employment to the unemployed persons. Only the other day Shri J. C. Ghosh, Member of the Planning Commission, said that every day nearly 12,000 new mouths have to be fed and nearly 5,000 persons are added to the labour force. In our country there is unemployment which has been recognised, but to what extent the Government takes the responsibility to remove unemployment can only be indicated if there is a proper unemployment insurance scheme. As it is, today in the Constitution, the right to work is not recognised. It is necessary to relieve to some extent the problem of unemployment and also to make Government responsible for finding out employment to these unemployed. There was a great debate in this House on a resolution moved by Shri Gopalan on unemployment insurance and then Government appointed a committee consisting of representatives from the Ministries of Labour, Finance and Commerce and Industry. It took about one year and then submitted a scheme. Instead of improving that scheme or sending it to all the trade unions or other public organisations or the employers' federation and getting their opinions on the scheme, Government turned it down.

Our industrial production during the First Plan has increased by 22 per cent.; our agricultural production, by 18 per cent. The real earnings of the industrial workers have not correspondingly increased. If you compute the real earnings from the wages, salaries etc. of the employees and workers they come to the level of what they were in 1939. The enormous increase in the national wealth was not properly distributed. In order to have a scheme of this nature, those who have made huge profits during these years should contribute. There will not be much difficulty. Actually, the profits during the First Plan period have risen considerably. Many of the industrialists have benefited. Without going into the figures, I have seen so many industrialists during the last few years purchasing so many mines, plantations and factories from the Europeans. So many English factories, Burns, Braithweight and Jessops, for instance, have changed hands and gone to the Indian industrialists. Therefore, the national wealth which has been created during this period was not equitably distributed. Earnings have not increased correspondingly. Due to rationalisation, there

has been retrenchment. Therefore, if a scheme of this nature is instituted, it will restrain the employers from retrenching the workers and it will also make the Government responsible for finding employment to the unemployed. With these words, I commend the motion.

श्री आबिद अली : उपाध्यक्ष महोदय, इस बिल के सम्बन्ध में मुझे सबसे पहले तो यह निवेदन करना है कि एक मेम्बर साहब ने जो ब्रूट मैजारिटी का इस बारे में जिक्र किया है, वह बहुत ही नामुनासिब चीज है ।

Shri V. P. Nayar: All of us who spoke do not understand whether the hon. Minister speaks Hindi or Urdu. Will he kindly speak in English? Unless he does not want us to appreciate, there is no other reason.

Mr. Deputy-Speaker: That is for the Minister to choose his medium. I cannot compel him.

Shri Abid Ali: It is unfortunate that the hon. Members opposite while making criticism, use language which they should better avoid. The brute majority has not been nominated by anybody. It is an insult to the electorate to say so. The same electorate which elected them also elected us.

Shri Sadhan Gupta: By a minority of votes.

Shri Abid Ali: There was free vote and every group, party or individual had complete liberty to go and explain the programme. If the voters chose to elect us, it is not proper for anybody in this House who has been elected by the same voters to come and abuse them. I hope this will be the last time when that word is used.

I was myself the President of a Convention Committee constituted by the International Labour Organisation. When returns came from member countries, our place was sufficiently high among the countries which had implemented them. So, it is not proper to say that we lag behind in honouring the conventions of the I. L. O.

Then, about prohibition. If it is bad, it is bad and if it is good, it is good. If it is bad, it must go. There can be no argument about it. Bombay and some other States where prohibition has been introduced have taken considerable care within the limitations of the economy of the State, to employ persons who became unemployed due to the introduction of prohibition. Alternative employment, as far as possible, has been found in industries like sugar-making from toddy, etc.

It is impossible to accept the Bill in the present form. It says that a person who has attained the age of 16 should be entitled to employment as soon as he registers himself in the employment exchange; if it is not possible to secure an employment for him, then he should be paid unemployment relief. To have such an organisation in different parts of the country and to give unemployment relief, nearly Rs. 2,000 crores will be required during the Second Plan period.

Shri T. B. Vittal Rao: Who estimated it?

Shri V. P. Nayar: The Planning Commission report does not suggest that.

Shri Abid Ali: That amount will be required to establish this machinery in different parts of the country as envisaged in the Bill and to give unemployment relief. We do not believe in giving doles, (*Interruptions.*)

Shri V. P. Nayar: Relief is contemplated for how many millions?

Shri Abid Ali: It is left to totalitarian countries or capitalist countries to do that. Here we believe in democracy and we want to have a Government established on a democratic basis. (*Interruptions*).

An Hon. Member: How does it come here?

Mr. Deputy-Speaker: Order, order. One or two questions may be put to him. There should not be a running commentary.

Shri Abid Ali: Here, we want the right to work. We want to provide ample work for everyone. That is what the Second Plan envisages Rs. 7,500 crores will be invested during the Second Plan period, both in the private and the public sectors to find additional employment opportunities. By this method, we will be able to have more and more employment opportunities so that everyone who is able and willing to work should get work, and that too on a fair wage system. Every citizen in the country should make all possible attempts, should endeavour his utmost, to see that the country is prospering and he should be entitled to his due share in the prosperity of the country. It is not for any particular class of people that this prosperity is planned, it is for every citizen. Therefore, the objections that have been raised by the hon. Mover about some particular class of people having the gains of this prosperity of the country are entirely misplaced and misconceived. It is a misconception of what is happening in the country. So far as we are concerned, our minds are clear and I am sure the people know it very well. If again the hon. Member wants to respect the expression "brute majority" he may have occasions even after the general elections are over, because the people have ample confidence in us in our sincerity and the way in which we are working to gain our objective. They are one with us and we are one with them.

There is no question of torture on anybody. There is no question of suppression of any point of view as the hon. Member stated. Our cards are open and will remain always open.

The charge with regard to employment opportunities going down has been refuted many a time and again and again hon. Members opposite feel—I do not know how and why—that their interests are better served by going on making charges which have no basis. He has also mentioned that there is rationalisation in the textile mills. Of course, there is rationalisation but without any retrenchment. That has been made clear many a time, not only so far as statements are concerned but also so far action is concerned. There has been no retrenchment.

Then, so far as lay-off and retrenchment compensation is concerned, hon. Members know that if a person working in an establishment is laid off he gets lay-off compensation. Similarly, in the case of retrenchment also he gets retrenchment compensation. There is also Provident Fund introduced by this Government. For sickness period also we have compensation scheme through which persons who fall ill, not only due to injury during employment period but those who fall ill also, are taken care of to the extent that any wealthiest man in this country can secure treatment in hospitals.

Shri T. B. Vittal Rao: You go to Calcutta.

Shri Abid Ali: I have gone to Calcutta not once but many times and I will go again and again. Calcutta is as much my own as of any Bengali. The people there love me and I love them.

Shri T. B. Vittal Rao: The Employees State Insurance Corporation recommended 130 kinds of drugs but the Government has sanctioned only 50 kinds of drugs. That is the situation there. They are going on strike within the next few days.

Mr. Deputy-Speaker: But, can that be cited just now? Let us hear the hon. Minister. The time is up.

Shri Abid Ali: I was submitting that so far as the insurance scheme is concerned, the workers get the best hospitals available.

Shri T. B. Vittal Rao: Read the Sub-Committee's report.

Shri Abid Ali: I have read the Sub-Committee's report. But the difficulty is, the hon. Member reads good for bad and bad for good. I cannot help that.

I was submitting that the best hospitals available in the places where this insurance organisation is functioning have been reserved for the workers in the factories.

Shri Sadhan Gupta: On paper.

Shri Abid Ali: Of course on paper also.

Shri Sadhan Gupta: On paper only.

Shri Abid Ali: The workers who are injured get the benefit of unemployment and sickness relief. It is not only in respect of fever and other things, but any ailment is treated through this organisation, as I submitted, in the best available hospitals and in localities where wealthy persons are living.

Therefore, Sir, I oppose this Bill, which does not mean anything.

Shri T. B. Vittal Rao: Even the motion for circulation?

Shri Abid Ali: I oppose its circulation, because it puts a burden on the country in this Plan period and the Five Year Plan envisages plenty of opportunities for employment which should be considered quite sufficient for the time being at least.

Shri Sadhan Gupta: May I know what is the burden in circulating a Bill?

Shri V. P. Nayar: Sir, I want to ask one question.

Mr. Deputy-Speaker: It cannot be permitted that a speech be made while standing and then another while sitting. That should not continue every time.

Shri V. P. Nayar: Sir, I have a right to reply.

Mr. Deputy-Speaker: The hon. Member may have two minutes.

Shri V. P. Nayar: Sir, I was really amazed when I heard my hon. friend, because I thought he will at least come to certain points and he kept away from that. What is his objection? I cannot understand even now, why does he not agree to circulate a Bill like this. Is he afraid that the public.....

Shri Abid Ali: I am not afraid of anything.

Shri V. P. Nayar: Then why not accept this bill as a challenge?

Shri Abid Ali: We have accepted the challenge in 1952 and again we will have it in 1957.

Mr. Deputy-Speaker: These challenges and counter-challenges cannot be allowed in this House.

Shri V. P. Nayar: He has succeeded in the challenge by going to the Upper House.

Mr. Deputy-Speaker: Order, order. Only one Member should speak at a time.

Shri V. P. Nayar: Sir, I only wanted to say that some of us cannot understand how a motion for circulation of an important measure on which we can react can be opposed.

The hon. Minister said that everything is provided for the workers in the matter of treatment. I happen to know several of these workers who do not get anything from the employment insurance scheme. He said that they are being allowed treatment in the best hospitals. I go very occasionally to the Irwin Hospital but I do not find any worker in

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the pay ward. I go to the Wellingdon Hospital and there also I do not find any worker. Probably, the workers get a very good treatment in certain hospitals, which are, probably, the creations of his imagination, or on paper as my friend here said. Shri Vittal Rao pointed out a specific case. He has information about that and there was also a report that, when under the scheme drugs were being asked for—very important drugs like chloromycetin—they were not supplied. The workers will be treated by the old methods and nobody cares for them. May I ask the hon. Minister how many workers have been X-rayed?

Shri Abid Ali: Thousands.

Shri V. P. Nayar: Of course, thousands have T. B. and by paying their own money they get X-rayed. I want him to give me the figures for this, if he can, as to how many workers have been treated for tuberculosis under this scheme and how many workers have been treated for other major diseases. May I know how many families of the workers have been treated under this scheme in the best hospitals? Sir, it is idle to score a debating point and then say that it is Rs. 2,000 crores. I want the hon. Minister to tell me, if he can, how he calculated this figure of 2,000 crores. He says it is on employment exchanges.

Shri T. B. Vittal Rao: Or the authority may be quoted.

Shri V. P. Nayar: Let him at least point out whether the Planning Commission has calculated or his Ministry has calculated this figure. We do not rely on his arithmetic; it is bound to be faulty, because if he had any correct arithmetical sense he would not have said Rs. 2,000 crores. I want him to tell me, if he can, how much of these Rs. 2,000 crores is expected to be given as relief and how many millions of workers are proposed to be covered by this amount. Can he at least tell us how many millions.....

Mr. Deputy-Speaker: The hon. Member has to address the Chair and not get the answer direct from the Minister.

Shri V. P. Nayar: I would request him to inform the House as to how many millions of people are estimated to be covered by this.

Mr. Deputy-Speaker: The hon. Member should conclude now. We have a half-an-hour discussion at six o'clock.

6 P.M.

Shri V. P. Nayar: I would be very grateful if the hon. Minister can furnish us, at least privately,—because there is no time now,— figures showing the number of millions of people whom the Government consider are unemployed and are deserving of such help, and who will come within this scheme for which Rs. 2,000 crores are provided.

I once again request the hon. Members kindly to support the motion for circulation of the Bill. Let us have the public opinion, and if public opinion is against it, we are all prepared to throw it out.

Mr. Deputy-Speaker: I shall put the motion to the vote of the House.

The question is:

"That the Bill to provide relief to unemployed workers, be circulated for the purpose of eliciting opinion thereon by the end of October, 1956".

The motion was negatived.

WOMEN'S AND CHILDREN'S INSTITUTIONS LICENSING BILL

Shrimati Kamlendu Mati Shah (Garhwal Distt.—West *cum* Tehri Garhwal Distt. *cum* Bijnor Distt.—North): I beg to move:

"That the Bill to regulate and license institutions caring for

women and children, be taken into consideration".

Mr. Deputy-Speaker: The hon. Member might continue next time. We shall now proceed to the half-an-hour discussion.

EXCISE DUTY ON MOTOR SPIRIT

Mr. Deputy-Speaker: The hon. Member, Shri Sadhan Gupta, must be aware that he will have ten minutes. 10 minutes will be allowed for the reply by the Minister, and the remaining ten minutes will be taken by the other two Members who have supported his request.

Shri Sadhan Gupta (Calcutta South-East): I am entitled to have 15 minutes. Anyway, I shall be as brief as possible.

On the 8th May, 1956, in answer to starred question No. 2022, the Minister of Revenue and Defence Expenditure made two very astonishing statements. One statement was that the production of the refineries set up by Standard Vacuum and Burmah-Shell and the production of the refineries proposed to be set up by Caltex are going to be charged an excise duty at the rate of two annas less than the rate charged for other refineries. That was astonishing enough, namely, that oil kings who are well known the world over for their huge profits should be given an excise duty concession. But what was more astounding is that the Minister went on to justify this reduction of excise duty with the astounding argument that this concession was a measure of protection. But, that this concession was not needed for protection became clear from his own answer to a later supplementary on the same question.

Shrimati Tarkeshwari Sinha asked the Minister:

> "May I know whether there is any identity between import duties and excise duties charged to Burmah-Shells and the Standard Vacuum Oil Company and, if so, the reason for this identity?"

Shri A. C. Guha replied as follows:

> "I do not know what the hon. Member means by 'identity'. The import duty and the excise duty are equal. But for the Burmah-Shells and the Standard Vacuum Oil Company and also for the Caltex, whose refinery will be going into production next year, there is a guarantee that at least two annas' protection will be given. But we are not giving the same concession to the other refineries, as for instance, the Assam Oil Company."

This answer completely floors the argument that it is a measure of protection, because, if it was a measure of protection, it would be expected that all refineries would have it. The reply shows that this reduction has nothing to do with the cost of production. It is something which these refineries have been able to snatch away at the expense of the country from the willing hands of the Government. Apart from this argument, and apart from this reply which is a convincing refutation of the Minister's argument, there are other well-known facts which completely destroy this argument which leave no doubt about the absurdity of this statement and the absurdity of the assurance that was given about the reduction of excise duty.

We all know that the price of oil in this country is by no means related to the cost of production of oil. In all other kinds of production, price has some relation to the cost of production; but, here, there are strange methods of calculation going against all kinds of economic laws evolved by an avaracious monopoly of the oil magnates. The method of calculation is this. Firstly the price in the gulf of Mexico in the United States is taken; then, the ocean freight from the nearest available source of oil is calculated. In our case, it is the middle-east countries.

[Shri Sadhan Gupta]

The United Nations Economic Commission for Europe had investigated into the oil prices and they have found on investigation that even the middle-east price, which was 1·75 dollars per barrel, left a margin of profit of 1·40 dollars per barrel.

The prices in the gulf of Mexico are much higher for several well-known reasons. First of all, on the oil fields in the gulf of Mexico in the United States, labour is not sweated labour. Labour there is highly paid and therefore, the labour cost is greater than in the middle-east. Secondly, the average yield per oil well in the United States is much lower, as found by the same Commission. The average yield per oil well was only 31 barrels a day, whereas in the middle-east, the average yield is 5,000 barrels per day per oil well; in Quwait, the yield goes up to 9,000 barrels per day. In India, I undertand, oil comes mostly from the middle-east produced by sweated labour, and yet, the price charged is the price of oil produced in the United States.

To this cost, as in the case of the refineries, certain other elements are added to make up the price. Firstly, apart from the usual railway and ocean freight charges, a very strange element is added, which is the cost incurred by the largest of the companies in India, namely, Burmah-Shell. You know, Sir, what these costs are—the perquisites of the officials, their hill allowances, their overseas allowances, free furnished quarters, car allowances etc. All these are added to the price of petrol, and then, above all these, an extra element of 10 per cent. is added to the cost. If you come to think of it, the result is, the higher the costs incurred by the oil companies, the greater the profits will be, because, at a computation of 10 per cent., it would be greater in terms of money.

So, they make profit first on the cost of production as between the United States and the Middle East then they make profit on the labour costs, because unlike in the United States, they produce oil in the Middle East by sweated labour; then, they make profit on overhead costs and so forth. Further, they make a profit on the 10 per cent. element added to cost. Then, of course, there is the normal profit, which is a very high figure. It profits them all the way. The result is, I understand, the Burmah-Shell Refinery in the short period of its working has made a profit of four crores of rupees.

I would say this is a veritable freebooter's Magna Carta. But it is a fact. The man who owns a motor car, the man who uses the taxi, the poor man who boards the bus, the growing number of people that will be transported by diesel railway locomotives will have to pay more and, worst of all, the starving teeming millions in the rural areas must choose between eating a little more or remaining in the darkness because kerozene is refined in these refineries. This is the position. Apart from paying this much, we have to pay taxes because the expenditure on our Plan go up by reason of the higher price of petrol. So, we have to pay taxes for that. Our nationalised Airlines should pay for the higher cost of petrol.

Still they are to pay two annas less on their export duties and thereby defraud the exchequer of a big sum. This is the position. There is only one conclusion that follows—these refineries must be nationalised. I am quite aware that we have given a promise not to nationalise them within thirty years. But looking at the way we are being fleeced, looking at the way we are being robbed, it is nothing but banditry and if we agreed to it, we have either agreed to it on account of duress or we have agreed to it because the Government has betrayed the people. In either case there is a case for nationalisation. We know that compensation will be paid for nationalisation and that should be adequate compensation.

Of course, the way the concern is making profits, they hardly deserve any compensation. But even at the cost of compensation they should be nationalised here and now.

Lastly, I want to know a few things. These companies are reaping huge profits. How much of these profits are re-invested in this country? How much of these profits the Government chose to compel them to re-invest in this country, and have Government any machinery to compel them to re-invest any part of their porfits?

Shrimati Renu Chakravartty (Basirhat): Are we allowed to speak now or we have to put questions after the Minister's reply?

Mr. Deputy-Speaker: The hon. lady member can speak now. The Minister will reply to the point raised.

Shrimati Renu Chakravartty: I will put one or two questions. Oil is a world monopoly and as such the question of the import parity price is something that is determined by external factors and so I am not going into it. But beyond the monopoly factor of the import parity price, I would like to know from the Minister why the Government of India still allows what is within its jurisdiction, that is, the actual f.o.r. price of petrol on transit which is calculated by adding to it the total cost of the highest unit of oil production i.e. Burmah-Shell plus ten per cent. This is completely within the jurisdiction of the Government of India to control. When it is within the jurisdiction of India why does it allow this huge amount of cost? Which is absolutely illogical and it cannot, by any stretch of imagination, be justified. When questions are put in Parliament again and again, why is the whole matter not explained before Parliament and why is the whole matter being justified by the Government? That is the first question. Secondly, when there is a 10 per cent. remuneration, why profit over and above that is allowed?

The third question which I would like to ask is this. It is the same question which, I think, has been already put. We have heard that one of the reasons why this huge amount is allowed is because the actual exploration and the setting up of production units in oil is a very expensive thing. I would like to know how much of the profits that have been earned by the Burmah-Shell and Stanvac refineries has been or is going to be re-invested in Indian exploration and Indian production, and whether any assurance has been obtained by Government that the oil companies will re-invest a substantial part of their profits and in that connection whether Government will have any control of that production or of that exploration.

The Minister of Works, Housing and Supply (Sardar Swaran Singh): I am glad that so much lively interest is being displayed during the last few weeks not only in this House but also in the press on the question of petroleum prices in this country generally and on the refineries that have been set up in particular.

No one has suggested that the setting up of the refineries, two in Bombay and one in Vizag, is in any way wrong or detrimental to the interests of this country. Doubts have, however, been expressed as to the appropriateness of certain concessions that have been given to the three oil companies which agreed to set up these refineries. In judging the terms of the agreement that have been entered into for the setting up of these refineries today, we cannot entirely ignore the economic as well as the political conditions that prevailed in this country and abroad at that time. There was not then the same degree of emphasis on this field being entirely reserved for the public sector as there is today. Hon. Members would recollect that the

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conditions were pretty seriously upset by what happened in Iran in relation to the Anglo-Iranian Oil Company. Government, therefore, considered it not only desirable but almost necessary to establish in India itself adequate refining capacity which would meet the immediate needs of the country. It was felt, and it continues to be right even today, that even if the country is dependant on imported crude, it would be of advantage to have the refining done on our own territory as that in itself would give us a measure of control particularly as we could always locate alternative sources of crude and the risk of the refining capacity remaining entirely unutilised was remote.

Apart from strategic considerations, the setting up of the refineries, it was felt, would give a fillip to industrialisation particularly where foreign investments on reasonable terms have to be attracted.

It was against this background that these negotiations were undertaken. It is hardly necessary for me to emphasize that with the high capital requirements that are involved in the setting up of these refineries and the very specialised nature of the processes involved, it would not then have been possible to envisage Government setting up these refineries on their own. The capital investments involved in these three refineries are of the order of Rs. 63 crores, an amount that could not easily have been diverted without material detriment to the other nation-building schemes contemplated during the First Five Year Plan.

In the absence of these refineries, the entire demand of this country for petroleum products will have to be met by imports except to the very small extent that the Assam Oil Company's refinery at Digboi can supply some of these products. The current demand for petroleum products in this country is of the order of 4.3 million tons and the Digboi refinery hardly supplies seven to eight per cent of this demand. Even if there were no other advantage at all accruing out of these refineries, the mere saving in foreign exchange that would result from importing only the crude instead of the refined product would itself be of significant advantage to the country and may well be of the order of Rs. 10 crores. I would like to draw the attention of the House at this stage to more recent developments relating to crude oil. It is perhaps not unduly optimistic to say that there is every possibility of our locating and producing considerable quantities of crude in India itself and there is provision in the agreements which would enable us to get these refineries to use such indigenous crude to the extent possible. If this expectation materialises, the saving in foreign exchange will be very considerably augmented.

Once it is conceded that the setting up of these refineries with the help of these oil companies was necessary, it follows that we have to agree to such reasonable terms as would induce them to invest the considerable capital involved in this country, provided, of course, and always, no national interest was in any way jeopardised. The agreements with these three oil companies were negotiated with the greatest care possible, and when the final draft of the agreement was ready, which Government's advisers felt was reasonable, Government agreed to sign the agreement only because they were satisfied that it served the larger interests of the country.

I shall now deal with the two specific points that have been mentioned, firstly, the provision in the agreement which says that the existing differentials shall be maintained on various petroleum products, as they obtained on the date of the agreement for a period of ten years from the date the refineries commenced operation or until 1965,

whichever is earlier, and secondly, the provision for giving, in the case of motor spirit, a concession of two annas per gallon in the excise duty. In regard to the second one, I wish to make it clear that this concession is available only with reference to the actual quantity produced in the refineries and actually consumed within this country. The quantum of these concessions is based on actual calculations, which the companies worked out and put before Government. It was their contention that unless these concessions were given, their projects would not be viable, in other words, they would not get a return that was considered reasonable on their capital. And we could not obviously expect anyone to invest over Rs. 60 crores purely on a speculative basis.

The question whether the concessions Government have agreed to give to these companies is in any way excessive should arise only when it is established that after the refineries have settled down to normal working, they in fact, earn profits out of all proportion to what may be described as the normal return in that industry. I submit it is too soon for us to express any opinion on this. We should remember that they have worked only for a period of a little over a year. So far, however, on the results of one year's working of the Stanvac refinery and the Burmah Shell refinery, they claim that on the capital employed, the return has not been excessive. This is their claim.

Shri T. B. Vittal Rao (Khammam): What is their return?

Sardar Swaran Singh: Government are scrutinising the figures that have been furnished by these companies, and will doubtless satisfy themselves about their correctness. It is, of course, Government's intention to be on the alert and keep this aspect of the problem under constant review, and take such steps as may be appropriate, from time to time, to see that there is no avoidable drain from this country of any undue profits that may be made by the sale of the refined products in this country.

In dealing with profits in this industry, there is one aspect which I think we should keep in mind. Replacement and renewals of plant and machinery form a comparatively higher proportion than in many other industries. And it is not often that it will be possible to secure fresh and outside sources by way of investment to meet such expenditure. If regard is had to the special features, and the assurance that Government will constantly keep an eye on the actual profits made, I am sure, much of the uneasiness that is apparently felt in some quarters in regard to these agreements would disappear.

I may now say one word about prices. So far as the price of crude oil is concerned, it is based on the price quoted in the free market in the Gulf of Mexico. I may add that a point has been made as to why the actual costs of production of crude in the Persian Gulf or in the Middle East sources are not really taken into consideration. I think hon. Members are labouring under some misconception. There is no such thing as any free market in the Persian Gulf; and if the Persian Gulf prices would be the basis, then again there can be the objection that there is free market, and that it is a monopolistic price, and that there is nothing to judge the actual price. Therefore, the Gulf of Mexico prices are the only prices which can be called competitive. It is for this reason that those prices are put forward by the oil companies as the basis all the world over for the price of crude.

Shrimati Renu Chakravartty: Then why protection?

Sardar Swaran Singh: That being so, the retail prices of the refined

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products are naturally related to the price at which like refined products could be imported into this country. Many small economies could, of course, be effected because of the lower freight on crude, the comparatively less loss of evaporation etc. in transit, some saving on insurance and other handling charges. These aspects are being studied and to the extent possible, attempts will be made to reduce retail prices; but, as I have said earlier, the time for going effectively or in any large way into these matters will be as soon as we are satisfied by our scrutiny and study that the refineries, taken as a whole, are making undue profits. There is provision in the agreement that in fixing prices, they should consult Government, and the import parity price is only an absolute ceiling. In case we had not set up these refineries, there would be no option for us at all except to continue to pay at the import parity price for the finished products.

I have just now referred to the import parity price as a tentative basis for the purpose of fixing retail prices and calculations of profits, etc. in the operation of these refineries. Admittedly, this can be fully valid only in circumstances where we are almost completely dependent on imported crude for the refineries. The position may completely change if we were to find adequate quantities of crude within the country itself and have it refined not only by these refineries but others that might be set up in future, probably with major participation in the capital by Government. I mention this merely to indicate that the pattern of these agreements that have already been entered into need not necessarily preclude Government from adopting others which may be considered more appropriate to meet the contingencies that may arise in future.

As to the actual prevailing retail price in this country, I may mention that taking motor spirit as an example, the Bombay price (after deducting taxes and duties) is identical with that in Karachi and it is 1/4 to 1 anna per gallon more than those prevalent in Colombo, Rangoon, Bangkok and Singapore.

An Hon. Member: The same company is distributing it.

Sardar Swaran Singh: In comparing these prices, we should not lose sight of the fact that some of these other places are nearer the sources of supply and further, that the turnover over a comparatively limited territory is much larger. For example, the *per capita* consumption of petroleum products in India is only about 3 gallons per annum whereas in Ceylon, it is 26 gallons, and in U.K., 128 gallons. Having regard to the extent of territory over which the distribution system has to function in India, it is not unreasonable to show some consideration to the incidence of distribution costs per gallon in the fixation of retail price. Besides in considering the retail prices, we should not overlook the fact that out of the price that is paid by the consumer, a good proportion consists of duties and taxes and transport costs. For example, the price of petrol in Delhi is Rs. 2-14-0. Out of this, only Rs. 1-1-3 is the cost f.o.r. Bombay, the transport cost Re. 0-7-8, handling charges Re. 0-1-0, remuneration for the dealer Re. 0-3-0, customs or excise duties Rs. 0-15-9 and sales tax Re. 0-1-6. Thus the landed cost is only about 37 per cent of the actual retail price and the customs duty and sales tax together practically equal that landed cost.

Shrimati Renu Chakravartty: What is the c.i.f. Bombay price?

Sardar Swaran Singh: I have already said that the f.o.r. Bombay price is Rs. 1-1-3.

Shrimati Renu Chakravartty: What is the c.i.f. price?

Sardar Swaran Singh: Lastly, the hon. Member asked how it is that

the Digboi refinery is functioning without these special concessions. The answer is that that refinery was set up when costs were not so high; it is at the source of the crude and, in any case, it enjoyed till recently concessional freight rates to enable it to compete with imported refined products.

I have attempted, within this limited time at my disposal, to present the picture in the broadest outline possible and I hope I have now succeeded in satisfying the House . . .

Shrimati Renu Chakravartty: Not at all.

Sardar Swaran Singh: I am sure that like the proverbial schoolmaster, they will go on arguing.

Shrimati Renu Chakravartty: You have not answered any point.

Sardar Swaran Singh: . . . that Government, in entering into these agreements with the oil companies, have not done anything without the fullest consideration of all relevant factors. It is, of, course not my intention to argue that even within the framework of the agreement because of changes in circumstances, the oil companies may not be in a position to make higher profits than originally envisaged. I am also not attempting to say that if any new agreements were to be negotiated we would not be able to improve on the terms. I hope, however, that I have satisfied the House that the agreements, as they have been finally entered into, are not detrimental to the interests of the country, and that if Government were to keep constant vigilance over the activities of these refineries, they could secure that the oil companies do not derive undue advantage based on any technical or literal reading of the agreements concerned. In fact, I am confident that should a situation arise where the working of the refineries in practice produces more than a reasonable profit, the Oil Companies themselves could be persuaded (indeed there is reason to believe that they might voluntarily offer to do so) to adjust their retail prices or make such other changes as may be feasible so that they derive no more than what may be a fair and reasonable return on their investment.

Shrimati Renu Chakravartty: What is the reasonable return?

Mr. Deputy-Speaker: The hon. Minister has not yet finished.

Shri V. P. Nayar: He has only worked it out.

Sardar Swaran Singh: I have in the course of this statement, explained the position with regard to the concessional excise duty of 2 annas; and, as regards price of oil I have explained why the Gulf of Maxico price is having a place, where free market exists, as the basis for calculation.

One point was referred to by Shri Sadhan Gupta about certain investigations by a team of experts which had been set up by the Economic Commission for Europe. I have also had occasion to study that report and that report was a report which was not adopted even by the Economic Commission for Europe itself. It had to come before the Economic and Social Council but the Economic Commission for Europe did not subscribe to all the conclusions that had been reached in that report. Therefore, those points cannot be referred to as proved conclusions because that was considered by quite a few as more or less a one-sided assessment. (*Interruption*). I do not say that everything that is mentioned there is incorrect but still that could not be a very authentic basis for basing an argument of the type that Shri Sadhan Gupta sought to build on the basis of that report, which, if I may say so, was still-born.

Shri Sadhan Gupta: That is an argument of the oil kings; that should not be your argument.

Sardar Swaran Singh: We should remember that these catch-words and phrases are not of any great value. I can also use adjectives but I have decided to give a dispassionate picture without taking any credit—nor am I prepared to take any discredit because at the time when these agreements were entered into all these things were fully looked into—and this show of wisdom after the event is something which does not behave responsible sections of the people of our country.

Then, I do not know wherefrom my friend took this figure of 10 per cent. increase on costs. This is a point which requires looking into because this 10 per cent addition on cost is a factor which is not taken up blindly. This is one of the points which require looking into.

Figures were mentioned with regard to the actual profits of the Burmah Shell Refineries. Those figures have been published in a report and, as I have already indicated, those points are being scrutinised by Government.

Another point has been raised as to how much has been reinvested. Actually it is a fact which has been stated on the floor of this House by Shri K. D. Malaviya that some of these oil companies are very much interested in asking for exploration and exploitation concessions and they are actually doing also a certain amount of exploration work.

An Hon. Member: With what profits?

Sardar Swaran Singh: Business people do expect profits, unless we are able to start them in the public sector. As has been stated in my statement earlier, it is quite possible that the new Refineries that may be set up may have a predominant Government participation. As time is running short I beg to conclude.

Several Hon. Members—rose.

Mr Deputy-Speaker: Half an hour discussion could not extended to be an hour's discussion. I am sorry it is not possible now. The hon. Members should have left some time for the Minister.

BIHAR AND WEST BENGAL (TRANSFER OF TERRITORIES) BILL

Extension of time for presentation of Report of Joint Committee

The Minister in the Ministry of Home Affairs (Shri Datar): On behalf of Pandit Govind Ballabh Pant, Chairman of the Joint Committee, I beg to move that the time appointed for the presentation of the Report of the Joint Committee on the Bill to provide for the transfer of certain territories from Bihar to West Bengal and for matters connected therewith be further extended upto the 11th August, 1956.

Shri K. K. Basu: What is the reason for asking for this extension?

Shri Datar: The reason is that some hon. Members of the Joint Committee, who had appended their signatures to a dissenting report, have requested that the report should not be published today because they wanted to go through it. I may point out to this House....

Shri T. B. Vittal Rao: I believe not about Bihar-West Bengal merger.

Mr. Deputy-Speaker: It is only about the transfer of territories from Bihar to West Bengal.

Shri T. B. Vittal Rao: We want to know whether the deliberations are complete.

Shri Datar: The deliberations were completed after the Third Reading was over here, and, therefore, we shall present it tomorrow.

Shri V. P. Nayar: As to what is your decision, it has already come in the papers.

Mr. Deputy-Speaker: Let me put the motion to the House.

The question is:

"That the time appointed for the presentation of the Report of the Joint Committee on the Bill to provide for the transfer of certain territories from Bihar to West Bengal and for matters connected therewith be further extended upto the 11th August, 1956."

The motion was adopted.

6-37 P.M.

The Lok Sabha then adjourned till Eleven of the Clock on Saturday, the 11th August, 1956.